

7/6/2004 minutes

Minutes of a Town Board meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, July 6, 2004, at 7:00 p.m.

Present:

Philip Cardinale,	Supervisor
Edward Densieski,	Councilman
Barbara Blass,	Councilwoman
Rose Sanders,	Councilwoman
George Bartunek,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Deputy Town Attorney

Supervisor Cardinale called the meeting to order.

Supervisor Cardinale: "I'd like to call the- what is it, July 6th- the July 6th meeting of the Town Board to order. I understand we have- Harriet is here- to sing for us God Bless America. Why don't we begin with the Pledge of Allegiance? Would you lead us in that? And then would you go into God Bless America?"

(The Pledge of Allegiance was recited, led by Harriet.)

Supervisor Cardinale: "Would you come up to the mike?"

Harriet: "How are we doing? Can everybody hear me? Is it on? Hello, can everybody hear me? Good evening everybody."

Supervisor Cardinale: "If you'd like to hold it, you could do that or you can leave it right there."

Harriet: "Oh. Okay. Got it. Well, now, we've got it."

(At this time, God Bless America was sung by Harriet)

Supervisor Cardinale: "Harriet, thank you very, very much. That was beautiful. Thank you for coming."

Harriet is one of our many talented senior citizens in town here. Thank you very much.

7/6/2004 minutes

Barbara, could we approve the minutes of the last meeting and also the special board meeting of June 22nd, the last meeting being on June 15th."

Barbara Grattan: "Let's do that."

Supervisor Cardinale: "Okay. Can I have a motion to approve the minutes of the June 15th and June 22nd meetings?"

Councilwoman Sanders: "So moved."

Supervisor Cardinale: "Second, please."

Councilman Bartunek: "Seconded."

Supervisor Cardinale: "Seconded by George. Can we have a vote?"

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The minutes are approved."

Supervisor Cardinale: "That's good. Now we have Reports, please. Would you tell us what we've got?"

Barbara Grattan: "Sure."

REPORTS:

Receiver of Taxes	Total collections to date was \$85,560,981.46
	Utility collections report for June, total collected was \$246,225.17
Building Department	Total collection for May was \$159,486.75
Town Clerk	Monthly report for June was \$10,834.37
Juvenile Aid Bureau	Monthly report for May
Recreation Department	Monthly report for January, total collected \$8,207.00 Total collected for February

7/6/2004 minutes

was \$26,687.50

Sewer District

Discharge monitoring report
for May

Barbara Grattan: "That concludes Reports."

Supervisor Cardinale: "Thank you. Would you tell us about
Applications, please?"

APPLICATIONS:

Parade Permits

Ronald Politi from 8
Inverness
Court - block party

Denise Delvigo - 20 Sunflower
Court - block party

Baiting Hollow Congregational
Church - August 8th is a
church barbeque

Rifta - July 7th

Long Island Antique Power
Assoc. - July 10th,
Hallockville Museum

Special events permit

Business Improvement District
Peconic riverfront 50's and
60's theme night with drive

in

movie every Saturday night
from 6 p.m. to 10 p. m.

Bobby Ginsberg - horse shows-
Abbess Farms (various dates

in

August)

Fauna Restaurant - live
entertainment from 8:30 to
10:30 p.m. (various dates in
July and August)

7/6/2004 minutes

Site Plans

Olde Vine Golf Club
Facilities
Clubhouse

Barbara Grattan: "That concludes Applications."

Supervisor Cardinale: "Correspondence, please."

CORRESPONDENCE:

Letters of protest

to the proposed rezoning of
land to the agricultural
protection zone - 5 letters
received

Petition

11 names for a road located
off of Industrial Blvd.

Petition

19 names on it converting 4
private roads to public roads
(Oak Lane, Forest Lane,

Laurel

Lane, Beach Club Lane)

Carole Sinda

Regarding the condition of
the
streets in Riverhead

Supervisor Cardinale: "And haven't we received a site plan as well?"

Barbara Grattan: "From?"

Supervisor Cardinale: "Olde Vine Golf Club Facilities."

Barbara Grattan: "Yes."

Supervisor Cardinale: "And then we have public hearings, the first of which is scheduled to start at 7:05 I'd like to get into."

Before I do, I should say to some of the people who may be here to comment on the EMB site plan application that is (inaudible) Road and Sound Avenue, that's going to be discussed at Thursday's work session and won't be voted tonight so you are better off to be here then at 1:00 p.m. than now.

7/6/2004 minutes

And on #2 of the public hearings, it should read- and it was properly advertised, it's just not properly reflected in the public hearing title, the draft environmental impact statement scoping hearing in regard to the special permit petition of Tanger Properties LP.

So before we get to that, which is 7:10, let's look at the 7:05. Could you call that, Barbara, the 7:05 public hearing?"

Public Hearing opened: 7:19 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on July 6, 2004 at 7:05 p.m. regarding the lease agreement with Cellular Telephone Company to lease certain space located at the Route 58 tank site for the installation and operation of wireless antennas."

Supervisor Cardinale: "And that- it being 7:19, we'd like to commence the 7:05 hearing. We have someone here for the applicant?"

Jaqueline Fleming: "Yes. Good evening. Jacqueline Fleming, from Munley, Meade, Neilson & Re, 36 North New York Avenue, Huntington, New York. I represent Cellular Telephone Company doing business as AT&T wireless in connection with the proposal to affix public utility antennas to the existing Riverhead Water District tank on Route 58 and to install equipment cabinets at the base of the water tank.

We seek approval of the proposed lease that AT&T Wireless negotiated with the Water District's attorney and has the approval of the Superintendent Pendzick and I see that Superintendent Pendzick is here tonight if there's any questions regarding the water district's approval.

AT&T Wireless is licensed by the Federal Communications to construct, maintain and operate the cellular telephone system in the greater metropolitan area including Suffolk County. Currently AT&T Wireless has an existing service gap in the area surrounding the water tank and this proposal would allow AT&T Wireless to provide reliable service to the area around the water tank.

Tonight I do have the- a licensed engineer who has prepared the plans- the site plans for this proposal and I'd like to call Ron Berube (phonetic) up to show you the plan tonight and just briefly summarize the proposal, allow you to have- if you have any questions

7/6/2004 minutes

about the site plan itself, allow him to answer those types of questions."

Supervisor Cardinale: "Thank you."

Dawn Thomas: "Mr. Berube, could you state your name and your-summarize your credentials for the Board?"

Ron Berube: "Good evening. My name is Ron Berube. I'm a- "

Barbara Grattan: "Ron, could you please spell your last name?"

Ron Berube: "B-as in boy-E-R-U-B- as in boy-E."

Barbara Grattan: "Thank you."

Ron Berube: "And I am a licensed engineer with the firm of (inaudible) & Associates in Albany, New York. We've been retained by AT&T Wireless to provide civil engineering design services.

AT&T is proposing to install equipment radio cabinets at the base of the tank and (inaudible) antennas mounted to the legs of the tank in order to provide cellular service. The antennas will be connected to the radio equipment with coax cables which will be routed underground from the equipment to the legs of the tank and then up the backside of the tank. All the cables and antennas will be painted to match.

If there are any questions regarding the site plans, I'd be happy to address them."

Supervisor Cardinale: "Anybody on the Board, if they do have a question, now is the time- of Mr. Berube or Jacqueline Fleming."

Councilwoman Blass: "I have a question."

Supervisor Cardinale: "And then we'll give it to public comment if they care to. Yes."

Councilwoman Blass: "Just a question. How far of a service gap or what is the identified area that you will be addressing in terms of service gap?"

Jacqueline Fleming: "At the Town Board's request, we had or the water district's request in addition, we had previously submitted maps showing the existing coverage throughout the town, and then also the existing and proposed coverage around the area of the water tank.

7/6/2004 minutes

I have additional copies of those maps that were prepared by AT&T Wireless' radio frequency engineer along with an affidavit by Natalie Noel (phonetic) the (inaudible) engineer who prepared the maps summarizing the existing coverage. Hopefully, they- these are already in the record but I would like to submit them at this time."

Supervisor Cardinale: "Give them to the Clerk, please. She will mark them in."

Jacqueline Fleming: "It is sort of a visual answer. The focus is basically to cover around the water tank and primarily to the- further to the east. And if you would like further detail, I do have Natalie Noel the (inaudible) engineer available and she can come up and explain in more detail."

Councilwoman Blass: "Okay. I'll take a look at them. Thank you very much."

Supervisor Cardinale: "Okay. If there's no other questions from the Board itself, are there any questions from the public in regard to the proposed lease agreement with Cellular to lease certain space at the Route 58 tank site?"

Yeah, if anybody wants to comment, please come forward. If there is no comment-- I will let the comment be taken that I'm seeing walking up to the mike, and then keep it open for written comment for 10 days. Yes."

Virginia Sedeta: "My name is Virginia Sedeta (phonetic). I live in Reeves Park on the block or a few blocks that are called dead zones. I'd like to know if this would address that- above Sound Avenue, going towards the Sound and Roanoke? You know, between Roanoke and- "

Jacqueline Fleming: "I can just try and briefly respond. Again, if I can't answer the question with these maps, we can get the (inaudible) engineer here. But the basic coverage from this proposed site covers parts of Sound Avenue and not all of Sound Avenue (inaudible)."

Virginia Sedeta: "Yeah, here's where we are, over here, like going towards the Sound. Here's Roanoke right here. (Inaudible)."

Jacqueline Fleming: "This will address some of that coverage."

7/6/2004 minutes

Supervisor Cardinale: "Thank you. If there's no other comment from the public on this hearing, I'm going to leave it open for written comment for 10 days and then it will close on the 16th and I'll- for this evening, I'll close it subject to any written material that's submitted between now and the 16th."

Jacqueline Fleming: "I have a quick question. I did have some additional materials that I was intending to submit if the Board had any questions on the visual look of the site or other environmental concerns including the emissions from the site. We have written testimony that I could submit for the record to address that."

Supervisor Cardinale: "Yeah. I was just speaking with the Town Attorney. This is a permitted use as far as we- so there's not a special permit being sought here- "

Jacqueline Fleming: "Right. Right."

Supervisor Cardinale: "-- as there would if it were not a town facility. We're familiar with the site, the facility, and it is a permitted use so we are required to have a hearing, I believe, simply because there is a lease agreement involved with the Water District. But if there is any material that you want to give us just to cover the record, we'd be glad to receive it and the Clerk will be able to take it any time between now and the 16th. Or you can give it to her right now if you'd like."

Jacqueline Fleming: "Would you like me to formally introduce it into the record just briefly summarizing the reports?"

Supervisor Cardinale: "If you'd just characterize what it is you are submitting."

Jacqueline Fleming: "Right."

Supervisor Cardinale: "That would be fine. Just hand it to the Clerk."

Jacqueline Fleming: "I have the planning report done by (inaudible) a consulting firm who also- this includes photo-simulations from before and after photographs of the proposal, I'll submit this. I also have a report by Ron Peterson Associates (phonetic) addressing the conformity with the Communications Commission's emission standards showing that this is well below the criteria for safety. In fact, it's less than one percent of the standards. And I also have a report by Michael Lynch, a licensed

7/6/2004 minutes

real estate appraiser, addressing potential impacts to property values in the area from such a proposal as this and he has concluded that there will be no negative effects to the community for property value."

Supervisor Cardinale: "If you would submit those to the- submit them right now if you'd like to the Clerk and she'll mark them in to the file."

Jacqueline Fleming: "Thank you."

Supervisor Cardinale: "Thank you very much."

Councilwoman Sanders: "I just would like to know, Miss Fleming, how many antenna are you proposing for this site?"

Jacqueline Fleming: "This is a set up with the typical three sectors, we are proposing four per sector for a 12 antenna buildout."

Supervisor Cardinale: "Thank you very much. We have a- this being 7:29, I'm going to close the hearing except to leave it open for 10 days for any other submission of written material."

Public Hearing closed 7:29 p.m.

Left open for the submission of written material
to July 16, 2004

-

Public Hearing opened: 7:30 p.m.

Supervisor Cardinale: "The second is scheduled to begin at 7:10, it being 7:30, I'd like to call that hearing. Would you- which is the draft environmental impact statement scoping hearing in regard to the special permit petition of Tanger Properties LP.

Rick, if you could come up. Yeah, if you could come up. As I did with the Town Attorney and didn't share with the public, that hearing was a permitted use and wasn't a special permit petition so the criteria was basically to review the lease and that's what we will be doing."

Rick Hanley: "Correct."

7/6/2004 minutes

Supervisor Cardinale: "This hearing is to- would you explain to the public what the hearing is about so we can have public comment that's relevant to the hearing?"

Rick Hanley: "Yes."

Supervisor Cardinale: "Thank you."

Rick Hanley: "Is it required to read the notice of public hearing first?"

Supervisor Cardinale: "Would you read the formal notice?"

Barbara Grattan: "I have affidavits of publishing and posting for a scoping hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on July 6, 2004 at 7:10 p.m. regarding the draft environmental scoping hearing in support of the special permit petition of Tanger Properties LP."

Rick Hanley: "Okay. The Town Board is in receipt of a special permit- "

Supervisor Cardinale: "Would you identify yourself, just for the record?"

Rick Hanley: "Yes. Rick Hanley, Planning Director, Town of Riverhead.

The Town Board is in receipt of a special permit application from Tanger Properties LP. Essentially the applicant desires to construct a retail box store, if you will, on Tanger I property.

When the Planning Department reviewed the application, we identified certain adverse or potentially adverse environmental impacts related to the application and recommended that the Town Board pos dec the application and require the preparation of a draft environmental impact statement.

Earlier this year, the Town Board did, in fact, formally resolve to require the preparation of a draft. We received a draft scope of issues after the Town Board opted to scope- formally scope this project. That is an option. The Town Board does not have to scope it. They decided to do that in a public scoping hearing which is this evening.

So essentially I think what the public should be focusing on

7/6/2004 minutes

this evening is the draft scope of issues that has been with the Town Clerk since June the 7th, is it complete, and if it's not, the public should try to identify specifically which environmental issues should be studied in the draft."

Supervisor Cardinale: "Could you tell us what the- what you have available, the draft scope of issues?"

Rick Hanley: "Yes."

Supervisor Cardinale: "Could you tell us what you've- the Planning Department has identified?"

Rick Hanley: "Yes. We've identified a number of issues as well as the applicant's professional. There were issues with respect to traffic consideration. There were issues with respect to groundwater. There were issues with respect to the Wild Scenic Recreation Rivers Act which regulates the premises.

We believe that the New York State DEC is going to be requiring that the applicant look at the possibility of preserving another parcel of equal environmental value or greater along the river as a function of this.

And I think the third or last issue that we identified was the project's conformance with adopted plans and goals.

There's other issues that the Board is aware of, you can put them into the record. But they are identified in a document that's been with the Town Clerk since the 7th of June."

Supervisor Cardinale: "Okay. The- that last- would you recite that last one?"

Rick Hanley: "It's conformance with adopted plans and goals."

Supervisor Cardinale: "Meaning the master plan?"

Rick Hanley: "Essentially the master plan."

Supervisor Cardinale: "Thank you. Who gave me this? Okay, just interrupt for a moment, having nothing to do with this hearing. I'm supposed to reiterate according to my Deputy, that if there is anyone out there in regard to the EMB site plan that is Sound Avenue and Park Avenue application, would I clarify that the application- which I thought I just did- that the application on the site plan

7/6/2004 minutes

from EMB has been withdrawn from the agenda and it is scheduled for 1:30 Thursday at the work session, I think to try and get a greater connection between that site and the other developed site-developable sites in the area that are- one of which is already in front of us.

Please explain that anyone who wishes to address the Board on that- on this matter tonight, will need to wait until after all the hearings and resolutions and they might want to just do it on Thursday. She maintains, my Deputy, that most people didn't hear me. I can't imagine why not because I spoke right up but- "

(Unidentified - from the audience): "Mr. Cardinale."

Supervisor Cardinale: "Yes."

(Unidentified - from the audience) "Just one clarification."

Supervisor Cardinale: "Yes."

(Unidentified - from the audience): "We don't understand who the developer is, what the site plan is, (inaudible)."

Supervisor Cardinale: "Okay."

(Unidentified - from the audience): "I have friends and neighbors here, 35 to 40 people here now."

Supervisor Cardinale: "Oh, good. Then we- okay, we do have a- you are free to stay and to discuss it. There is a site plan on file."

(Unidentified - from the audience): "Your microphone is working much better now."

Supervisor Cardinale: "Okay. There is a site plan on file with the Planning Board. We saw it on Thursday of last week, the site plan for the first time in my case, with a recommendation of the Planning Board as to what they thought of it. Then we spoke with Mark Terry- did I get it right this time? Okay.

And he had some concerns about inter-relating the site to another development nearby that was under consideration and also making it more walkable and more manageable and we talked to him. We agreed to pull it from today's agenda so we could consider it at the work session on Thursday as to what betterments and improvements

7/6/2004 minutes

could be made to the site plan to make it a better plan.

Now the site plan itself when he finishes, Rick, with this hearing, we have it. I mean, you can take a look at the site plan and he can probably show it to you."

Rick Hanley: "We have a file. The public can take a look at it."

Supervisor Cardinale: "Yeah. The file is available to the public. And we'll be discussing it for some length on Thursday at the work session commencing at 1:30. So if you stay, by the time we get through this hearing and the other three or four hearings and then the comment on the resolutions and then the resolutions, to allow you to comment, you know, on this with- it will probably be 9:30 or 10:00 and you won't have the plan in front of you. So that's really what I was forewarning you of.

Perhaps if he could show you the plan after this hearing, that would be a help, and then maybe a contingent could return Thursday at 1:30. Or stay. At the end of the session, we take open comment, we'd be glad to consider it.

Okay? So I hoped that clarified it a bit. And go ahead, if you would."

Rick Hanley: "Well, I think we concluded."

Supervisor Cardinale: "Returning to the hearing">

Rick Hanley: "I think we've concluded in terms of the purpose of the hearing is to identify the relevant environment issues associated with the project."

Supervisor Cardinale: "And you listed the five. Traffic, groundwater, Wild Scenic River Act, preserving an equal- an area of equal environmental value potentially and conformance with the master plan as passed."

Rick Hanley: "Yes."

Supervisor Cardinale: "And if there's any other- "

Councilwoman Blass: "There is one other. Impacts to growth and community character was another identified potential."

7/6/2004 minutes

Supervisor Cardinale: "Impacts to growth and community character."

Councilwoman Blass: "That's right. Community character."

Supervisor Cardinale: "Now. With that said, you've introduced it. I'd like to hear from the public; so would the Board, about anything we might have missed. And also the applicant and his attorney is here. We'd like to hear from them, if they have anything they want to say. Growth and character. Go ahead, Barbara, you're on."

Councilwoman Blass: "I'd like someone to just clarify that this is an expansion or is it an expansion of the Tanger Outlet operation or is it the other specially permitted use for stand along retail building? Because the impacts to growth and community character are different depending upon which special permit you are requesting."

Supervisor Cardinale: "Pete, you want to try that one? This is the applicant's attorney, Pete Danowski."

Peter Danowski: "My name is Pete Danowski. I think what I'd like to do here tonight because we do have Ron Abrams here, our experts, with regard to this matter, Mr. Tanger personally has come out to be here tonight as well as Kevin Dillon. I'd like to wait until all the questions get posed or statements get posed before there's any reaction. I'll certainly have a written response to Barbara's question, you know, immediately presented either tonight or tomorrow morning."

Councilwoman Blass: "Well, it's relevant as to what needs to be addressed in the impact statement so as long as there's an opportunity to do that."

Peter Danowski: "I understand that and I appreciate the narrowness of the scope. We've had an internal discussion here about whether to start debates internally and I think as a matter of practice here what we should do is listen to all the potential questions and I'll respond back to them."

Supervisor Cardinale: "So she had some more questions but you want to take the comment first. Could I- could you elucidate for me, you said there were either of two options and then the criteria- and that would make a difference. Could you explain that?"

7/6/2004 minutes

Councilwoman Blass: "There are two specially permitted uses in this district. One is the manufacturers outlet center."

Supervisor Cardinale: "Right."

Councilwoman Blass: "And the other is an establishment engaged in selling goods or merchandise to the general public for personal or household consumption and provided that the entire structure housing such use is occupied by a single tenant or a single owner use and shall be in a structure of no less than 100,000 square feet."

Supervisor Cardinale: "Okay."

Councilwoman Blass: "And the reason that it is relevant is that in the description to the impacts to growth and community character, they referenced the positive affects that the Tanger application and the manufacturer's outlet use has had on the community."

Supervisor Cardinale: "Oh, I see, okay."

Councilwoman Blass: "If this is indeed not an expansion of Tanger, then there are other uses, other impacts, excuse me, that need be assessed. This would have its own stand alone accessory uses as well which may include a food court and I would just like to have those things clarified because there may be other issues that would have to be addressed in light of the fact also that our new zoning along Route 58 contemplates additional area that would now provide for big box retail that was not otherwise provided for when this zoning district was instituted."

Supervisor Cardinale: "So your question from me as a member of the public is, is this an application for a special permit for a manufacturer's outlet expansion or is it for big box?"

Councilwoman Blass: "That's correct. It's not clear from the application."

Supervisor Cardinale: "Great. Thank you very much. Okay. Now, questions, public out there. Okay, come on up. I bet- you're right, I know that. But you've got to come up anyway. Yeah, because you know why? There's a tape recorder that picks it up for the purposes of the transcript. But I know you have a strong voice. You've yelled at me once or twice."

Bernadette Voras: "Bernadette Voras is my name. V-O-R-A-S."

7/6/2004 minutes

Reeves Park. I've been in Tanger maybe twice. The place scares me to death. If they want to enlarge it, I'd like to know where in the name of God you are going to put the cars.

I have seen this place closed to parking at 10:00 a.m. in the morning on some of these holidays. Now I'm the one that wants to keep business on 58, not on Park Road and not on Sound Avenue. Okay? I will not, you know, expound.

But I stood here 25 years ago when I bought my house in Reeves Park and I pointed at the wall. I moved out here as a teacher to teach in Shoreham but to live in Riverhead because it was beautiful. It was peaceful. I understand that growth should be happening. But I have seen growth beyond belief, wild growth, not thought out. And I'm sick of it.

The one thing I can congratulate this Board on is the two acre zoning. Hallelujah. And I do congratulate you, Phil, and the Board, in the fact that you are going to finally let the theater become a property for whatever it should be.

That picture over there is gone. But it's not all gone. All right? In town it is meant to be businesses. We don't have like other places across the country an alternate route, you know. They don't call it the business route around town but I consider it that-- the one south of town.

So, therefore, I do expect Route 58 to be businesses, but and this will involve later on when I stay to talk about the developments north of Sound Avenue that they think they're going to get. I would say that the same thing is involved here as there in my mind and I have the pictures to prove it.

Parking, parking, parking. Where the hell do you park in this town? Okay? Now I can't say that I'm a big shopper at that place. As I say, I've been there twice. But I have passed by and I see cars turning away. I have seen the parking lot in front of Office Depot which is I believe supposed to be separate, all these box stores, whatever, totally filled and people getting on a bus or walking into the I and II as I understand it is set up.

I just say if you can solve the parking problem, I'd like to see it happen. Then I can say you can have anything you want. Costco, whatever it is. But until you tell me that there are not going to be thousands of cars on the road going nowhere on Route 58 and we, the locals, have to take it, I don't think we need that money that much.

7/6/2004 minutes

Thank you."

Supervisor Cardinale: "Thank you. Do we have any other comment from the public about this scoping of issues? Yes, please, come up, Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. I have a question. Where on the property is the big box store going? I was under the impression that the only property left, the only area left on that property that's undeveloped was sensitive area because of wildlife."

Supervisor Cardinale: "Do you want to address that issue, Rick, please, the location on the property and whether it is a preserved area or not. Because there was a lot of confusion on this."

Rick Hanley: "Yeah. The area is to the south of Tanger I. If one drives on Route 25, you'll see an area that's highly vegetated to the south of the first project. The area exists as an undeveloped area today because when Tanger I first made their application to the town, it was referred over to the DEC and they haven't- there's some trouble getting through the application, so the applicant decided at that point to just avoid the whole DEC issue entirely, move all the yield up north of the boundary line of the Wild Scenic Rivers area.

Since that time, we have expanded the Riverhead Sewer District, the commercial district which serves the site, and the reason that this application could be made is because it will be served by sewer. I think the ordinance allows for up to 30% of the site to be built out with sewer connection and I believe the application calls for not only the sewerage of this box, but also all of Tanger I, I believe.

So that's the general location of where this is going."

Supervisor Cardinale: "How large a parcel is it?"

Rick Hanley: "I want to say it's about- the whole parcel is about 30 something acres, something like that. I don't know. I'm not sure exactly."

Councilwoman Blass: "It's not a subdivided parcel though."

Rick Hanley: "No, it is not. It is a single and separate parcel."

7/6/2004 minutes

Councilwoman Blass: "It exists as one parcel. This area is 14 acres."

Rick Hanley: "That's correct. Forty seven."

Supervisor Cardinale: "This area that we're discussing is 14 acres?"

Councilwoman Blass: "I believe so, yes."

Supervisor Cardinale: "And there was a preserve set aside as a part of Tanger- "

Rick Hanley: "Not to my knowledge. It's strictly a function of moving- "

Supervisor Cardinale: "Not this piece. But wasn't there another piece that was set aside?"

Rick Hanley: "That was in Tanger II."

Supervisor Cardinale: "And what was that called?"

Rick Hanley: "That was for protection of a rare species, the tiger salamander."

Supervisor Cardinale: "And that is not this?"

Rick Hanley: "That is not this at all. It's on a different parcel."

Supervisor Cardinale: "Because that was the question Sal was implicitly asking."

Rick Hanley: "It's on a different property."

Supervisor Cardinale: "So this is a 14 acre piece that was not developed- "

Rick Hanley: "It's a portion of a 47 acre piece."

Supervisor Cardinale: "A portion of a 47 acre- "

Rick Hanley: "Right."

Supervisor Cardinale: "Fourteen acres. It was not developed because it was on the other side of the Wild Scenic Rivers Act- "

7/6/2004 minutes

Rick Hanley: "Correct."

Supervisor Cardinale: "-- line."

Rick Hanley: "It was a regulated area. Right."

Supervisor Cardinale: "And the yield was taken off it but the yield will be restored to it by the connection to the sewer because that doubles the applicable yield. Correct?"

Rick Hanley: "Yes. That's correct."

Supervisor Cardinale: "And then it would become a developable parcel on the wrong side of the Wild and Scenic River line."

Rick Hanley: "With the requirement that the New York State DEC issue a permit."

Supervisor Cardinale: "And we have nothing to do with that but what we will have something to do with is whether or not assuming they get together with the DEC, whether a special permit is issued for this requested use which we will soon find out whether it's a big box use or a manufacturer's outlay."

Rick Hanley: "Right. And the special permit criteria in the ordinance would have to be adhered to."

Supervisor Cardinale: "Okay. Does that help, Sal? Thank you."

Rick Hanley: "Okay?"

Supervisor Cardinale: "Yes, come on right up. Our BID president has a comment. Richie."

Richard Cox: "I have a question. Richard Cox, a question as a business owner on Main Street- 65 East Main Street. I know what I've been going through to get permits for music and small things like that."

Supervisor Cardinale: "It's cruel, I know."

Richard Cox: "I was curious because I remember when this started, the Tanger thing started, it was supposed to be one location and then it became two locations. Then there wasn't supposed to be

7/6/2004 minutes

any restaurants, now you've got food courts. And as far as I'm concerned, you've already got Tanger III where the Office Max is. I know they call that an extension of Tanger II, but that's Tanger III no matter how you look at it. So these are just my observations to Tanger."

Supervisor Cardinale: "Actually if you remind me if I can find it, those issues were researched and explored a while back by Jill and we have a file on it, on what went wrong and what didn't and what could still be corrected."

Richard Cox: "I just didn't see the trolley and all the things that were supposed to- "

Supervisor Cardinale: "Right. On all those issues, yes."

Richard Cox: "Right."

Supervisor Cardinale: "Yes, Ann."

Ann Hattoff: "Good evening, Ann Hattoff, from Reeves Park. It's my understanding that this building is going to be east of the hotel on 25 and west of the drive going into Tanger mall from 25. Is that right?"

Councilwoman Blass: "That's correct."

Ann Hattoff: "Okay. When Tanger I was built and Tanger II, what happens to the buffer zone? There was a buffer zone. What happens to that? Is that eliminated?"

(Unidentified and inaudible remark from the audience)

Supervisor Cardinale: "Right. But I think what you're saying and I'm noting it is one of the issues that should be studied is the compliance with buffer zones imposed by earlier approvals."

Ann Hattoff: "Yes. And the other thing I'd like to address is going from Tanger I to II, there is a sign unless it's been changed, that says Tanger III which is where Office Max is. Now everybody says when you talk to people- not everybody but when you talk to them, they say there's no Tanger III. But the sign says Tanger III. It's not an extension of Tanger II. There is a Tanger III. Thank you."

Supervisor Cardinale: "Thank you. Yes, Rolf."

7/6/2004 minutes

Rolf Koesling: "Rolf Koesling, Wading River. You know, there's a news broadcaster, Werner Wolfe, (inaudible), let's go back to the videotape. All you have to do is go back to that one meeting a few years ago when Steve Haizlip brought up the question about the appearance of that road going up, and Miss Nevins got up and in her own words quote, she says we cannot do anything there. It's a protected area. Her own words. Go to the tape and read it. Thank you."

Supervisor Cardinale: "Any other comment from the public? Okay, when you think of something, I'm sure you'll let us know but the applicant is here with a retinue of expert testimony. Did you want to present anything, Pete, in particular?"

Peter Danowski: "(inaudible) respond to all your comments (inaudible)."

Supervisor Cardinale: "Okay. Now remember it's not that they're really very reticent. They are caring (inaudible). But the purpose of this hearing is simply to ascertain the scope of issues we're going to ask them to study in the draft environmental impact statement. We'll have another hearing in regard to whether or not they meet the criteria of obtaining a special permit because this isn't a permitted use. It's a use permitted by a special permit from this Board.

So if you're not going to say anything in regard to the project, is there anybody that wants to address anything regarding something that this Board might have missed? Again, we know about traffic, groundwater, the Wild & Scenic Rivers Act, preserving a piece of equal environmental value, conformance with the master plan, impacts to growth and character of the community. We're going to- buffer zones relating to the earlier approvals, more traffic problems, and related Tanger issues that are hovering.

Is there anything else that you want us to know about before we complete the scope of the draft environmental impact? Larry."

Larry Oxman: "Good evening, Larry Oxman. Can you just include in the scoping the effect upon the sewer district?"

Supervisor Cardinale: "Yes."

Larry Oxman: "Okay. Thank you."

Supervisor Cardinale: "Which is incidentally the reason this

7/6/2004 minutes

is made possible, of course, is because they will be connecting to the sewer district and without that, it would not be possible. Yes, Barbara."

Councilwoman Blass: "I have another question. I know that you are required by law to discuss alternatives and they're but for a mention of a no action alternative, I wondered if there were any others that you actually proposed and just failed to put them in the document."

Supervisor Cardinale: "So the issue- other alternatives other than no action."

Any other suggestions for issues that should be included- the developer is, again, not being reticent or surly, they're being intelligent. Because they're listening to the public as to what issues they're asking- the public is asking them to study. And that's really what they should be doing. They don't want to- you don't need to hear from them; they need to hear from you. So do we.

So if there's any other issues- I'm going to leave this hearing also open for submission of written material for 10 days. So that if anyone wishes to submit additional written material as to issues that should be included in the scope of issues study, we want to hear about it before the 16th- close of business of July, and I guess, Pete, you'll get back to Barbara on her outstanding question which will inspire as we all know more from Barbara, which is a good thing.

Okay, with that, I will- it's not 8- no, actually it's 7:56. I'd like to close the hearing, leaving it open for written comment 'til 5:00 p.m. on July 16th."

Public Hearing closed: 7:56 p.m.
(Left open for public comment until July 16, 2004)

Supervisor Cardinale: "And moving right along, we have a third hearing tonight. I think this may be (inaudible) if I'm not mistaken."

Barbara Grattan: "No."

Supervisor Cardinale: "Rich, you've still got to wait. It's the consideration- this is our 7:20 hearing."

7/6/2004 minutes

Public Hearing opened: 7:56 p.m.

Supervisor Cardinale: "This is the 7:20 hearing for the consideration of a local law to amend Chapter 101 entitled, Vehicles and Traffic in regard to parking prohibited, Sections 101-10. And the hearing is going to start at 7:57. I'd like Barbara to tell us, if you can, about the hearing and then I'd like any public comment that anyone wants to make. What's this hearing really about, Barbara?"

Barbara Grattan: "Let me see, what have we got here? Well, it's V&T Article 5, Parking Standing Stopping, Section 101-10 Parking Prohibited. The parking of vehicles is hereby prohibited in the locations as follows: Name of Street - Center Street, side, east. Do you want me to read everything in there?"

Supervisor Cardinale: "It's a series of streets that are in the- yeah."

Barbara Grattan: "A series of streets- okay. The first street is Center Street, side east. Center Street, Front Street, north. Front Street, Green Street, east. Point Street, east. South Jamesport Avenue, east. West Street, east. Willow Street, east.

Now we have seasonal parking, Section 101-18. Street, Center Street, side West. Front Street, south. Green Street, west. Point Street, west. South Jamesport Avenue, west. West Street, west. Willow Street, west.

That's the names of the streets."

Supervisor Cardinale: "Sounds like South Jamesport to me. Okay. Those are the streets, they're in the public notice. We want to take comment from anybody that wants to comment. I think Pete and Mr. Patchel may have some comment and we have another comment from Angela. How are you? Okay. Who wants to go- you want to- Pete, you're closer. Why don't you tell us what you want to say and then we'll bring Angela up."

7/6/2004minutes

Peter Danowski: "You are correct in noticing that Bob Patchel, the owner of a fine restaurant in that neighborhood, is here and I am speaking on his behalf. Certainly as a practical matter we've had discussions in the past about the restoration of what was a dilapidated old building that he's restoring to a fine restaurant.

We certainly know that parking today is available on the street and this appears to be and certainly, I think Bob takes it this way, an attack on his use of his property as a restaurant.

I would note that part of the amendment seems to suggest that part of a street or streets will be by parking permit only, I presume for the use of the beach. But I'm not sure where that public beach is located now that I believe the (inaudible) property is fenced off and posted and now that, you know, really we can argue about the high water mark but I do know Mr. Patchel does have some supporters in the neighborhood and you know that prior to the most recent residential rezoning, he had suggested to the town and suggested to the public that he was willing to create some form of permanent written agreement allowing by either license or some other form of agreement, the public in the South Jamesport area, the exclusive use of the beachfront on the part of his property that fronts on the bay.

He suggested at that time that if you change the zoning to residential and he ends up selling this parcel for a single family residence, you're going to be in to a person who wants a very exclusive neighborhood and a person who will want to have people kept off the beach.

So now we're talking about a restaurant owner who may have a single family house across the street where someone will try to prohibit anyone from going on to quote that person's personal beach and we'll have parking by permit arguably for the use of a beach that doesn't exist.

So certainly from a taxpayer, from a man who has done a very nice job in creating a restaurant to suggest that all the neighboring streets will somehow have a new ordinance passed that will prohibit parking, I think is almost putting Mr. Patchel out of business.

Now there will be some people that say we don't even care if Mr. Patchel went in and sought parking on his additional land because now that's residential and maybe they think that prohibits him from trying to park there. So I think you have to take a look at the big picture and saying, who are you trying to prohibit from having a successful business in town.

7/6/2004minutes

I also question after you would pass such an ordinance, whether even individual homeowners when they have a party, when they have company coming over, when they don't have a large driveway to park cars on or they have it fenced off, a beautiful grass area, or they have a garden area, they're not going to have their neighbors friends and relatives able to park near their house.

So I would like you to think that you might reconsider this application. And I think Bob Patchel has talked quite candidly about, hey, if you want to take one side of his street and you're talking about fire safety issues and you want to say on Front Street, let's work out some sort of agreement where parking won't take place on one side, you could come to Bob Patchel and talk to him about those kinds of possibilities.

But this is sort of the second time I've had to stand up in recent months. The first time was in the Fire Marshal fire zone questions which I questioned the propriety of the enabling legislation and then I said, again, it looks like after the fact the business is operating, you're trying to stop something from happening to a local businessman.

So for Bob Patchel's sake, he certainly may be better at describing the situation that I just gave, but he would object very strenuously creating no parking and having parking prohibited and having parking by permit only. He certainly opposes the application and I look for your support. Thank you."

Supervisor Cardinale: "Thank you. Angela, would you like to comment? And then, Bob, if you had any comment?"

Angela DeVito: "Angela DeVito, South Jamesport. This proposal in front of us this evening is not an attack on a particular businessman in the area. It never was intended to.

These and parts of these regulations that are being proposed tonight, both the prohibitions on parking as well as the parking by permit, were already on the books in the Town of Riverhead. They were just never enforced.

What we have done, is taken a look again at those particular regulations with a single intent in mind, with the sake of public safety in that very narrow medium to high density residential area in which, yes, there is a restaurant and, yes, there is a hotel facility there. But those are not the only individuals that need to be

7/6/2004minutes
considered.

There is a provision in town code where you can get a day pass and as an owner of a business you can purchase parking permits for your customers as well as for those who go to your hotels. This is a solution for Mr. Patchel.

And I didn't bring the article with me tonight because I didn't think that the tact that would be taken was that we were attacking his parking. But during the lovely restoration and that building really is beautiful, I'll be the first one to tell you, it's excellent looking."

Supervisor Cardinale: "Good restaurant."

Angela DeVito: "Yeah, okay. I can't afford it. Excellent building. Okay. Is that at that time when there was a question about the placement of the septic systems, there's a quote in the News Review from Mr. Patchel saying he needed to get this resolved because he wanted to get his parking lot put in so that he wouldn't create on the street parking problems for South Jamesport.

And if he's making the claim today that he needs our streets for parking, then I would say he presented falsely at the time of his application to the Town of Riverhead how many seats he intended to have in that restaurant and how much parking he actually needed. But looking specifically at what has been presented and I apologize for ranting and raging (inaudible).

Center Street, the east side parking prohibited. The one thing that needs to be removed is you go down one, two, three, four, five sentences and you get and thence southerly to the southerly terminus of Green Street, that makes no sense. That needs to be removed.

When you talk about Center Street, the southerly terminus, are we talking about the whole area so that you couldn't park east or west side on the southerly terminus or just right in front of the southerly terminus? Because we still have Mr. Schultz's illegal structures in a town road that have yet to be removed. So can people still park on those sides there but not right in the middle of it? Okay.

The Green Street- what was the other one? Again, going on Front Street, prohibited in its westerly terminus, the same question would come up. On both sides there? I mean we're doing north and south or just parking in the middle of it."

7/6/2004minutes

Councilwoman Blass: "No. It's where the width of the road ends at that point."

Angela DeVito: "Oh, okay, so that's fine. That would take care of my questions."

Now the seasonal parking. My understanding is that parking permits in the Town of Riverhead are year long. They go a calendar year. Why do we still have seasonal parking in South Jamesport? I but a parking permit and my parking permit that I got actually picked up in March, is good until December 31st. I mean that's why they charge ten bucks now instead of- it used to be what? Two, three, five? I forget.

Because it went from seasonal- there were permits you would buy just from May 15th through September 15th. You only needed them for then. And now you have parking permits that are good for wherever parking is required all year round.

For example, there's, you know, parking permit required on the road going south from Meetinghouse Creek Restaurant and that's all year long."

Supervisor Cardinale: "What is- I understood that- what do I know? I understood that we had seasonal permits still, you know. You go to the beach, you get your permit, it says you can go there during the beach weather. Why you would go there any other time is a mystery but even if you did, nobody is there so nobody cares. But what are the permits?"

Angela DeVito: "I didn't think we had different classes anymore. You pay ten bucks for the whole year."

Supervisor Cardinale: "Yeah, you may be right. But as I began, I would be the last to know. Can we get a clarification? Anybody on the Board?"

Angela DeVito: "Is the recreation department here?"

Supervisor Cardinale: "Recreation. Jim Janacek (phonetic), are you out there someplace? It's a tribute how my department heads are here, wide eyed and bushy tailed at all these meetings. Isn't it? I think most of my department- I think the geography of where my department heads are would be impressive if I could tell you because many of them- several of them are on vacation. But in any event, I'll check that out. I do not know the answer."

7/6/2004minutes

Angela DeVito: "I'm looking at the proposed provisions. Again, on Center Street on the bottom line, and thence southerly to the southerly terminus of Green Street appears to be an error. That would have to be changed. On Front Street- since we took care of the parking prohibition on the westerly terminus, there's no question there."

I think that with these changes here and I will also comment to the fact of the residents who have guests coming to their homes and who may not have driveways that have 15 or 20 places available to them, my brother often comes to visit me and I have a driveway that currently only holds two vehicles and I own two vehicles. I buy him a day pass so he can park on the street."

Supervisor Cardinale: "What do they cost?"

Angela DeVito: "Two dollars is what I pay, the recreation department, I pick one up."

Supervisor Cardinale: "That's not bad."

Angela DeVito: "I buy him a pass so that he can park for the day. He puts it on his dashboard. So he's- "

Supervisor Cardinale: "Now did you- did Angela get- Barbara had indicated to me there were some corrections. Did she get them all?"

Barbara Blass: "Yes."

Supervisor Cardinale: "Thank you."

Angela DeVito: "Yes. And I commend you on putting this back into place. I do think it's needed. That part south there, people use it primarily as a recreational area, okay. And the beaches do- we do have, we go down to, okay, the southerly terminus on both all of-- for the Long Island Sound and as well as the Peconic Bay and then we can go east and west up to the rack lines. Okay. So we do have that right. They're not publicly declared beaches but the state gives us that."

And perhaps that's something that needs to be clarified, a public statement in the papers about access to these areas because a lot of people are very confused over where they can go and where they cannot go and what constitutes public beach versus public access to

7/6/2004minutes
water."

Supervisor Cardinale: "Yeah. Which is an appropriate time to note that in a work session about 10 or 12 weeks ago, we authorized as a Board the demarcation of all of the right of ways going to the bay and going to the sound at the ends of public roads which are public right of ways to demarcate them and some of them that may have both been overgrown to make them clear to avoid any disputes and to preserve and maintain the public's rights of access to the bay and to the sound and in some instances to creeks. And the whole Board agreed that that was a good idea.

We're initially surveying and we've done some in Jamesport-South Jamesport, and then we're going to demarcate in some way consistent with the DEC rules of which you know they have many, the actual physical area that people can walk down by putting in some, how shall we say, some material that demarcates that is not inconsistent with preserving salamanders and the like."

Councilwoman Blass: "And it actually may be helpful."

Angela DeVito: "Actually, people are very excited. They already know that you plan to do this. They're excited about that."

Supervisor Cardinale: "Yes. So I wanted to make sure that everybody knew that's going to happen, both north and south, sound and bay."

Councilwoman Blass: "It may be helpful actually when people purchase permits though to have something in addition to the rules and regulations about what you can and can't do on the beach, with respect to dogs and everything else, to actually identify the public access points as well as the town beaches."

Supervisor Cardinale: "Identify the access points in the rules, yeah."

Angela DeVito: "Thank you."

Supervisor Cardinale: "Thank you. Anyone else- "

Councilman Densieski: "Phil, I've got a question."

Supervisor Cardinale: "Yes."

Councilman Densieski: "Have we received any correspondence

7/6/2004minutes

from Jamesport Fire Department that there's a problem that exists or I'm just curious which agency or which portion of the town has said there is a problem?"

Supervisor Cardinale: "What inspired-- if anyone knows on the Board- what inspired the re-thinking of the parking in that area?"

Councilwoman Sanders: "Well, I just had one comment. It really wasn't a re-thinking. I think it was a confirmation of what some of the parking signs had been over the years either removed, taken down, relocated, so it was a confirmation, I believe, of what was there and based on all the uses now and some of the residences that exist today that didn't exist then, we felt that it needed to be at the request of many members of the civic associations in that area that these parking areas have been defined by permit, not be permit, permitted, prohibited, and we also allow for the fact that the alternate sides parking areas have been defined by permit, not by permit, permitted, prohibited. And we also allow for the fact that the alternate sides, so that if you were not allowed to park on one side that you could certainly park on the other side.

So it's not like and make it sound like that there is no parking at all prohibit- you know, all parking is prohibited in South Jamesport. We did take that into account and, therefore, that's why you're allowed to park on some sides and not the others."

Councilwoman Blass: "I do know that there was a particular incident in the winter, I'm not sure exactly when, but there was an incident where emergency vehicles could not pass because there was an obstruction on both sides- or parking on both sides, and they had difficulty getting an ambulance and emergency vehicles through Front Street in particular."

Angela DeVito: (From the audience - inaudible)

Supervisor Cardinale: "Yes."

Bruce Madonna: "Good evening. My name is Bruce Madonna. I live at 21 Front Street. I'm about 100 feet or so I guess from the Bayview Inn and I front on Front Street and, therefore, parking areas are a concern to me.

I haven't seen any great problems with parking in the area there. Is this on?"

Councilman Densieski: "Life it up a little, Bruce."

7/6/2004minutes

Bruce Madonna: "Is that better? I'm sorry. I live on Front Street and I'm 100 feet from the Bayview Inn. I haven't noticed problems with parking. There are cars parked on Front Street sometimes between- going east of South Jamesport Avenue and no one has ever come as far even as the front of my house and parked.

I do have some concerns about parking for myself and any guest that I might have there, why that might be prohibited. And I have a question about- I read this and it sounded like the 100 feet from Front Street north on Center Street was excepted from these rules. Is that correct what I read?"

Councilwoman Sanders: "Again?"

Bruce Madonna: "The 100 feet that is north of Front Street on Center was excepted from both of these rules, permitted parking and non-permitted parking. Is that correct?"

Councilwoman Sanders: "I believe so."

Bruce Madonna: "Can I ask how that is and can I get a little of that, too?"

Councilwoman Sanders: "Get a little? What are you looking to get a little of?"

Bruce Madonna: "In other words, I'm concerned about having being able to have parking in front of my house and on the street where I am rather than just that. I don't understand how that 100 feet got excepted. But if it's, you know, permissible to do that, I'd like to have some of Front Street excepted, maybe some of Center Street South excepted also."

Councilwoman Sanders: "I believe- if I had the map in front of me maybe we could define for you exactly where it was. But I think the consideration was made for the turning from Center onto Front- no, from Front onto Center, that's the way. And you would not be able to see if there were cars parked all the way to the end of Front- to the end of Center.

So there wasn't getting a little of anything for anybody, any special. There was a map- we sat down with a map and carefully thought out exactly where this should happen."

Bruce Madonna: "Is there something different about turning on that street and that corner as versus others because they're all exactly the same width."

7/6/2004minutes

Councilwoman Sanders: "I'll have to take a look. I couldn't tell you off the top of my head."

Bruce Madonna: "All right. Well, I would- "

Councilwoman Sanders: "If that's your comment, then we will address it. That's why we're having a public hearing."

Bruce Madonna: "Well, that's my comment and my question would be if it's possible to do that, maybe we could extend that across Front Street also at least in front of my house. I mean it would seem appropriate if that corner has problems with getting around it, you could except it on both sides. And I'd be able to not worry about being able to park in front of my house and I mean I don't think it's perfectly fair to everybody on the street, but I just didn't understand that.

I mean I don't even understand the need for this whole thing anyway. I just don't see a problem in the area. Thank you."

Councilwoman Sanders: "Thank you."

Supervisor Cardinale: "Okay. Any other public comment on this hearing in regard to parking? A spirited parking prohibition hearing if I do say so. But go ahead."

Eric Palmer: "My name is Eric Palmer. I'm at 74 South Jamesport Avenue."

Supervisor Cardinale: "Yes?"

Eric Palmer: "There's plenty of parking rules in effect there. I don't understand why this major changeover. If it's just Front Street is a problem with parking on all sides of Front Street, I always thought there was no parking on one side, the south side, and parking on the north side. But the signs have disappeared over the years.

But the rules are there already, I don't understand the civic association, which I agree with them on a lot of things and I like the people that are in it, but I don't understand why this massive change over.

And, personally, on South Jamesport Avenue where I am, I would lose my parking of my side of the street to the other side, where up

7/6/2004minutes

to 2nd Avenue, there's only two homes that actually have people park there. There's an abandoned home and there's two homes on the corner that don't use the street for parking. So out of all of this changeover, the people on my side of South Jamesport Avenue would be losing the parking in the street and everyone in the houses occupied all the way from Front all the way up to 2nd Street. There's like six homes that would be affected.

So, I just don't understand why we just don't enforce the rules that we already have and why we're going through this massive change. Thank you."

Supervisor Cardinale: "Thank you. Did you have a comment, Pete, you wanted to make?"

Peter Danowski: "Yes, I did. I wanted to give everybody else a chance that hadn't spoken before."

Supervisor Cardinale: "Okay. If there's anyone else that would like to speak, please do. Otherwise we will let Pete conclude-- make his final comment. Okay, Pete, go ahead."

Peter Danowski: "I failed to mention I also represent Paul Gianelli who owns a two family residence on Center Street and he certainly asked me to speak in objection to this as well.

And, again, it's for the very basic reason. You're taking a house location similar to what Mr. Madonna just said, and saying to a particular person, well, you can't park next to your house but go a block away, and there's no prohibition.

So I don't know why all of a sudden you took a certain limited area in South Jamesport and applied a certain set of rules to a limited area and you didn't go throughout all of South Jamesport, and I'm not suggesting that. I'm just saying the reverse should be true. There shouldn't be any of this prohibition.

Mr. Patchel as you well know also owns Motel on the Bay and other interests on that same Front Street, so you're not only affecting his restaurant, you're affecting other properties he owns. And I'm not sure who put together the plan. I did hear Mrs. Sanders mentioned if we had the map we could probably more clearly show you what we're talking about in the ordinance, but I presume somebody got together on this Board and put together this so called plan which resulted in this public hearing tonight and I'm not sure who did that.

7/6/2004minutes

I'm also not sure and I'm just presuming you didn't send notices out to the people who are most closely affected by the ordinance. You did a normal publication in the paper but you didn't actually send a personal notice to the homeowners who would be affected by the ordinance, I would expect.

So I would just raise the question about who put together the plan and why do we have the certain limited areas and not others."

Supervisor Cardinale: "Well, I think as you know, you're not required to send notices to everybody affected by legislation, that's why we have public notices in papers.

As to the- what I'm curious about is and we will take up at the work session, is some of this isn't new at all and I'd like to know exactly what percentage of it is new. Most of this I am advised is a repetition- is simply a reaffirmation of existing regulation that has not been enforced because the signs have been brought down, etc.

But if there's any new area in which, you know, they are adding additional restrictions, I think, would be helpful to have the reaffirmation from the first affirmation differentiated so that the whole board can consider whether in those new areas that we are first considering, we should impose these regulations.

I think that what you did is that you looked at the whole area. Right? And then just did what you thought was appropriate."

Councilwoman Blass: "Actually it was a little bit more scientific than that. This is the second public hearing we've had on this matter. We had one- "

Supervisor Cardinale: "Yeah."

Councilwoman Blass: "-- probably a year and a half, maybe longer, ago and we had considerable- and it was much more extensive at that time. We had considerable commentary from the public and, in fact, what we did was ask the engineering department to clearly indicate the current signs and the nature of the current signs per the current code and we found out that many of the signs that the code says should be located are no longer there.

So part of it was to exactly do that, reaffirm those that are already codified and make sure that those signs appear where they should appear. This second hearing is a result of the commentary

7/6/2004minutes

from the first hearing. We assembled all of those comments, went back to the drawing board, incorporated many of the concerns and felt that we did the best we could in the area that seemed to be most problematic. The areas north of 2nd and 3rd Streets don't appear to be as problematic as this particular area. This is the heavily traffic area for beach purposes and for Mr. Patchel's establishments which are very lovely, Mr. Patchel, and I really am saddened by the fact that you think this is a personal thing. It really is not.

So when you ask who prepared this map, this map is a revised map that Councilwoman Sanders and I worked on in conjunction with the civic association after a full public hearing in which you participated yourself if you recall the first time this came up. So we incorporated all the comments. It was not done in secret or anything like that."

Peter Danowski: "All right. So it-- Mrs. Sanders and Mrs. Blass prepared after working through the engineering report and I suppose I just heard the words it's reaffirming in part what was created legislatively in the past and it's adding to it. And that's the question as to how the additions got put there and I just heard Mrs. Blass make her comments as to her opinion as to why she made these recommendations that appear before you now."

Supervisor Cardinale: "Right. Thank you."

Peter Danowski: "Thank you."

Supervisor Cardinale: "Okay. That being-- do we have additional comment, moving right along. Go ahead, Angela."

Angela DeVito: "This didn't come about because of Barbara Blass' personal opinion."

Councilwoman Blass: "Thank you."

Angela DeVito: "This is a result of her work, okay. And I take great exception to that type of condescending attitude that we are treated to every time we come to a board meeting and Mr. Danowski gets up and lectures to us. I'm very sorry about that.

Some of these things needed to be changed because they didn't make sense. That's how some of this came about. When we looked at the code as it had been put into the town book, okay, it just didn't make sense. If you tried to drive the way that they were just outlined, you would have wound up nowhere. You couldn't do it, you couldn't possibly do it.

7/6/2004minutes

And it was- it was a process, a carefully thought out process that took into consideration everything, every comment that came in, okay. And I will say, okay, in having worked with both Barbara and Rose on this that a lot of what I wanted, certainly isn't here. So."

Supervisor Cardinale: "I- it strikes me that whatever we wind up with ultimately passing here that I am pleased that this board has been as active as it has been legislatively and I hope it continues to because that's really what we're here for. We're a legislative body, we're supposed to listen to the people and make good laws that help them.

We got zoning statutes passed as recently as two weeks ago. We got ethics statute that will be passed shortly, a farmstand statute to address some of the problems associated with farmstands. A sign statute. We have a domestic partnership statute that is going to be noticed for public hearing tonight.

So this board is becoming very active legislatively and I think that's a good thing but we'll look very carefully before we take action and make sure we're doing what we think is the right thing.

I'd like to close the hearing, oh, no, before that I have to take one more comment. Ray, did you have comments as well?"

Councilwoman Sanders: "There's two."

Supervisor Cardinale: "There's two comments. Why don't we take- I don't want to frighten you away. Okay. Ray, a comment and then we have one more and then we can go on."

Ray Dickoff: "Are you going to read to us the comments made to us by the police chief and the- from the police chief? Has he made comments about the traffic situation in the area? Is there a written report by him?"

Supervisor Cardinale: "Unless the police chief has a comment, I'm not going to direct him to comment."

Ray Dickoff: "Would there be a report from the chief and the Board of Fire Commissioners and the Jamesport Fire Department?"

Supervisor Cardinale: "Is there?"

Ray Dickoff: "Do you have that?"

7/6/2004minutes

Councilwoman Blass: "I believe someone raised that question before, whether we have had a formal correspondence from them and I think the question was answered that individual fire- "

Ray Dickoff: "Individual fire fighters can say- has the Board of Fire Commissioners or the fire chiefs said- "

Councilwoman Blass: "I will make sure- "

Ray Dickoff: "-- there's a specific problem?"

Councilwoman Blass: "-- I will make sure that they have the opportunity to review this plan and get from them whether this is an improvement to the situation or not."

Ray Dickoff: "I think you should because when we talked about that at the riverfront doing something with the roadway- "

Councilwoman Blass: "That was closing a route, yes."

Ray Dickoff: "Also at that time, the Supervisor asked for a written statement from the police chief, from the fire chief, from the fire marshal. I think we should try and get the same information here."

Councilwoman Blass: "That's a good point and we will do that before we act further on that."

Supervisor Cardinale: "Thank you. And may I have the comment, please, now?"

Margaret Palmer: "Good evening. I'm Margaret Palmer, I'm a resident of South Jamesport. I'm very happy with the plans that you have for the parking but I honestly feel that if you put the old signs up or put up the signs that should be there and just continue with the parking rules that were in effect, it would solve the problems that we have already."

There's access to the beach as there is and it's- the seasonal parking is really what is the consideration as far as I'm concerned anyway. There are still beaches that we can get to even though there are fences and whatever. So all I would like to see is the same signs that we have. Thank you."

Supervisor Cardinale: "Thank you. Okay, I'd like to leave this open as well for 10 days for further public comment. Again, on

7/6/2004minutes

the 16th, we'll close this hearing and include any public comment we receive in writing by that day at 5:00 p.m."

Public Hearing closed: 8:30 p.m.
(Left open for written comment to July 16, 2004)

—

Public Hearing opened: 8:30 p.m.

Supervisor Cardinale: "The 7:35 hearing is- hey, it's Richie. The special permit of C. Starr Y. Corp. to allow live entertainment. Would you give us the more formal rendition of that, please, Barbara?"

Barbara Grattan: "Sure. I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on July 6, 2004, at 7:35 p.m. regarding the special permit petition of C. Starr Y. Corp. (The Boardwalk on Main) to allow live entertainment."

Supervisor Cardinale: "It being 8:30, the hearing scheduled for 7:35, it's commenced and, Richard, would you like to comment? This is the representative of the applicant."

Richard Cox: "Hi. My name is Richard Cox, Boardwalk restaurant. I'm just here to say a few things on this application process for this music permit.

I noticed that the other bars, you have Fire & Ice, and Digger O'Dell's and Tweed's and East Enders Coffee and everyone's got these permits that cost them I think it took them about five minutes to come into Town Hall and pay their \$25.00 so they could have somebody playing guitars at their establishment.

I've been working on this for eight months. My fee was, I think \$500.00. I had to do I think 15 copies of a survey as if I was building something. I'm still working on this. And we had to send out, I think it was 300 copies of a certified letter that cost about \$300.00 to send these mailings out. This thing is just getting more and more expensive when everyone else on the same road, paid \$25.00 and they got their permit.

So I'm just wondering how- "

7/6/2004minutes

Supervisor Cardinale: "Me, too. But I don't- if that's accurate, you're really getting shafted. Would you come up Rick- could you distinguish between this application and whatever the \$25.00 version is?"

Rick Hanley: "I'm not aware of any \$25.00 license agreement. Clearly this is a special permit under the town code, live entertainment in a restaurant."

Supervisor Cardinale: "So for example, if another restaurant like Timmy's wanted to make the same application, wouldn't they have to go through the same routine?"

Rick Hanley: "Yes. We've had many applications downtown, I know a couple of them in front of the Planning Board."

Supervisor Cardinale: "Incidentally, that does not- that begs the real issue here which Rich knows I agree with him on, that there is arguably no reason to have a special permit- "

Rick Hanley: "Arguably."

Supervisor Cardinale: "-- procedure for playing music in an alcohol serving establishment."

Rick Hanley: "I think that this predated the noise ordinance and since we have a noise ordinance now clearly any noise that's emanated from any parcel can't exceed a certain decibel level. There are times of day, they're measured at the property line. So I agree with you. I think that maybe this is archaic."

Supervisor Cardinale: "Well, I think there's no question about it."

Rick Hanley: "Now that we have a noise ordinance so but unfortunately until we change the special permit procedure and our definition of what a restaurant, what live music is, it's argue that a special permit is necessary."

Supervisor Cardinale: "I just wanted to-- I understand his point and I share it and I think Jill has been working with Richie to- and we're going to get legislation. Again, legislation to change this. But you're caught up in the last one. You can make this like Richie's Law, you know, like they do with the kids on the cartons."

Rick Hanley: "Yes."

7/6/2004minutes

Supervisor Cardinale: "The new one- the new lean mean procedure to get music in an alcohol serving establishment."

Rick Hanley: "That's Richard Cox, not Richard Hanley."

Supervisor Cardinale: "Yeah, right. Not Richard- the new procedure is going to be a lot quicker. And there is no reason, I think you pointed out, with the noise ordinance having been passed, to have a special permit to play music. You're getting the same treatment as, for example, Mr. Steve Tanger is getting. The same thing we're going through for Steve Tanger and the big box store, thank God, we didn't ask you to get a draft environmental impact statement. We're going to scope it. Why don't we just do that tonight? We'll put it off for another year."

It's actually the same procedure. So I understand your point. It's a procedure that's archaic. We've got to change it. Jill is working on it already. But I think Timmy had to go through the same torment."

Tim Yousik: "No, I didn't."

Supervisor Cardinale: "How come? Tell me about it then, because then we really should make you go through it if that's the law."

Tim Yousik: "Several years ago, I was approached- I'm sorry. Tim Yousik, owner of Digger's. Several years ago, I was approached by Sharon Klos and I was told that I had to get a music permit for Digger's. I came- I went into her office, I filled out a very simple application. There was a board meeting that evening where it was approved and it was either \$25.00 or \$50.00 and it literally took me five- in fact, Sharon helped me fill it out, five minutes."

Supervisor Cardinale: "Really? Well, that points out what I've been trying to work on. The inconsistencies around here."

Tim Yousik: "What I really don't understand is everybody on this Board knows that the application that they had to fill out has nothing to do with music. It's all about building something. You look at the fee structure, it makes it clear, it's about building."

Why- you know, you've got the East Enders Coffee Shop which is a wonderful place, it has music, and it's a great thing, we should certainly allow it. Then you have the Boardwalk Restaurant that just because they serve alcohol, has to go through this process in a

7/6/2004minutes
commercial district."

Supervisor Cardinale: "Yeah."

Tim Yousik: "If there was a restaurant going into a residential district, I could understand it. But a restaurant in a commercial district."

Supervisor Cardinale: "Richie, is there a difference between Richard Hanley, the Planning Director. Is there a difference between indoor and outdoor under our code?"

Richard Hanley: "No."

Supervisor Cardinale: "So how come Timmy didn't have to- what's the \$25.00 permit Sharon gave him. Richie- I think I'd leave now, Tim, because whatever she gave you- "

Tim Yousik: "Sharon didn't give it to me. It was approved by the town board at the time."

Supervisor Cardinale: "Who- and you know, this started eight months ago, right?"

Tim Yousik: "Let me ask a question, if I could. In the last eight months, instead of what they've gone through, why couldn't this have been changed? Everybody on this board believes it's not right."

Supervisor Cardinale: "Yes, that's true."

Tim Yousik: "It's been eight months."

Supervisor Cardinale: "We- in order- we weren't sure. Because passing a legislation might have taken longer than a special permit. We will change it. The question I guess is well, you don't care because you're going to get approved shortly."

Tim Yousik: "Can I ask a question? I'm not speaking on Richie's behalf."

Supervisor Cardinale: "Sure."

Tim Yousik: "I'm asking as a taxpayer. Once it's passed, the ones that had to go through this process like Richie and Mary, are they going to be reimbursed?"

Supervisor Cardinale: "No. But you may have to go through the

7/6/2004minutes

new one because I don't know what they gave you for \$25.00, honestly. I don't know what the heck- "

Tim Yousik: "Good luck getting any more."

Supervisor Cardinale: "Whatever they gave you, I hope they gave you a- did they give you a piece of paper or something?"

Tim Yousik: "I just want to say one more thing. Tweed's and all the other owners- "

Supervisor Cardinale: "Yeah."

Tim Yousik: "Twenty-five dollars. So it's not just Tim Yousik, it's everyone."

Supervisor Cardinale: "But what was it that they were selling for \$25.00?"

Tim Yousik: "A \$25.00 permit."

Mary Cox: "I'm Mary Cox, Boardwalk Restaurant. It was called a cabaret license."

Supervisor Cardinale: "Okay."

Mary Cox: "And they gave- they went away or did away with the cabaret license to streamline the procedure for getting entertainment and that was the my understanding from talking with Jill and from talking with a lot of different people was they went with a more streamline of having a single application."

Supervisor Cardinale: "Okay."

Mary Cox: "You do a single application- "

Supervisor Cardinale: "This is really streamlined."

Mary Cox: "-- which is a special permit but yet it has really nothing to do with it. They should bring back the cabaret license or it should be automatically implied that if you open up a business in the town of Riverhead, in the downtown commercial area, that this is something that automatically comes with your establishment if it's a coffee house.

If it's Atlantis, if they wanted to have live entertainment outside, if it's Fauna or the museum. All these different places

7/6/2004minutes

that are able to generate sort of like in the arts district, this is what downtown is supposed to be and wants to become, is the downtown arts district. And yet to play music, it was- to me it's just- it was mind boggling of what I had to do. I had to do mailings that no one has ever asked me for any of this, the proof, I guess when I'm going to get fought on this, that I would have to submit my return receipt requested for my mailings and stuff. So- pardon?"

Barbara Grattan: "You are supposed to give them to me."

Mary Cox: "Pardon?"

Barbara Grattan: "You are supposed to give them to me."

Mary Cox: "Okay. Well, that wasn't clear. I didn't get them all back yet. I guess a lot of the people that I've spoken to said it was absolutely ridiculous and they weren't going to bother. They took it, they either signed it or they threw it out, they didn't accept it.

To me it's just- it's the whole idea of what Riverhead is supposed to be. It's- it's us putting a lot of our time and effort and big financial burden on us to try and make something better. To have to fight for it and to have to ask people to come and fight on our behalf for it is just mind boggling to me why somebody would have to go through all this, somebody who is trying to develop the riverfront.

I mean, we're offering live entertainment almost along the riverfront for boaters that come up. To have to go through this process and be such a long process and a drawn out process is beyond me. It's already- you know, we're already into July and I applied for this back in, I don't know, when it was still winter out.

So I understand that there are people that are against it, but you know, this is Main Street. It's Main Street; it's in a commercial district. You have to expect certain things when you open up a business on Main Street. It's not all going to be a quiet Mom and Pop, everyone shuts down and rolls up the sidewalk at 5:00. Otherwise a lot of people like the East Enders Coffee House and us and Digger's and Tweed's, what's the point of us being here. It's to make this town more alive, not just in the summer but, you know, in the winter time, too, and in every season.

So to me it's something that I know I lost out on it. Because I spoke with Jill. I lost out on the opportunity to have it

7/6/2004minutes

streamlined for me but my big thing of coming up here is to have it for the next person, that it's a lot easier for them. I just- I can't see it not being that way because then no one's is going to want to do business in this town."

Supervisor Cardinale: "Well, I think that's a very valid point and I appreciate your making it. Jill, do we have a- from our executive assistant, deputy supervisor, do we have a coherent statement of recommendation- "

Jill Lewis: (From the audience - inaudible)

Supervisor Cardinale: "Meaning?"

Jill Lewis: (From the audience - inaudible)

Supervisor Cardinale: "Incorporated into the zoning that will be passed not later than September 30th to correct this. Yes, Timmy."

Tim Yousik: "My suggestion on this possibly would be since a place like East Enders Coffee Shop that does not serve alcohol is a- just has it as a permitted use. They don't need any type of a permit at all which is the way it should be, why does a restaurant have to have it? What is the purpose of this? Why isn't it just eliminated within a commercial district? Period. Eliminated.

You take a restaurant like the gentleman that was up here before that's in a residential area in Jamesport, I could understand that, it makes sense. But in a commercial district, why do we have the permit on restaurants that serve alcohol but not on a coffee shop? Eliminate it all together."

Supervisor Cardinale: "That makes sense also. As he said, it may have been before the noise ordinance that this was thought to be intelligent. Yes?"

Richard L'Hommedieu: "Richard L'Hommedieu. I am the published of Long Island Entertainment News. I'm also the Chairman of the Board for the Long Island Music Hall of Fame.

One of the things, we had a meeting with Mr. Steve Levy a while back, we were discussing what it makes to revitalize a downtown area. One of the things as important as a great retail or day time area is a good nightlife. If you have good nightlife in a downtown area, people want to come down because they can see at night it's a good place to be. It's a fun place to be.

7/6/2004minutes

To have a noise ordinance in a commercial area in downtown where there is no residential, it just doesn't make any sense. To not allow a restaurant to have live music which is one of the great things that we have here on Long Island, is- just doesn't make sense.

You really need to take a good look at your downtown area if you're looking to revitalize it and allow these businesses to give a nightlife to this town. You've got a great Main Street.

In fact, we had a meeting of our Board of Directors just last week and we are actively looking at this town as a location for this Music Hall of Fame based on what you are doing for your Main Street, what we're seeing with the aquarium, the dinosaur walk, the Fauna, Tweed's, Digger's, the Boardwalk.

What we see is happening on your Main Street is an important component of what we believe we need in our location where that Music Hall of Fame will be. But we also need to see how the process is working and I can see you guys are really looking to try to make this work, but you have to have a good nightlife and you have to keep that in mind.

I mean, it's important to have a quiet little town but if you have a quiet little town that has a good nightlife where people can go and have a good time and are not afraid to walk the streets at night because it's dark, it's dingy and there's nothing happening. That gives the town a certain image. To break that image, you need to have a place where people can go and walk down the street at there's music at Digger's, there's music at the Boardwalk. They can walk along the river and there's people and things happening. That makes a sense of security and safeness to that downtown area and can give Riverhead the image that I think you all really want for it.

So streamline this process in bringing live music to this area. I think it's an important thing for the whole town of Riverhead."

Supervisor Cardinale: "Thank you. Yes."

Doug Noble: "How are you doing?"

Supervisor Cardinale: "Yes, sir."

Doug Noble: "My name is Doug Noble. I'm the owner of the store that's right next store to the Boardwalk that is open now. We object to the live music only for one reason. We have no problem with the music that they're playing. We object to the time that it

7/6/2004minutes

starts and the volume of the noise.

As I've told Richie, the kind of music they play is exactly the kind of music I grew up with, the kind of music that I like. So I do not object to the music that they are playing. I object to the fact that it begins at 5:00 on a Friday evening. I'm open until 7:00. I've been in business downtown Riverhead for seven years. Prior to that, I was five years up by the Caldor shopping center. I moved down seven years ago. We have an established business. And since they began the live performances last year, it's created a hardship for our business.

I tried to talk to the owners of the store and they basically said to me that's what it's going to be, you just are going to have to live with it. So I came down town to ask if there was some kind of a code or whatever, what do I do. I was advised that I had to get an attorney and send a registered letter voicing my complaints and that's the only reason why we did that.

As for saying that it's taken them nine months to do this, I don't know about that but if they had applied right back when we first talked about it, I'm sure this would have been done with long ago.

Now the only reason why we wanted it to be a public hearing was so that we could voice the fact that we also are taxpayers. As has been said before, we've been downtown for seven years. All I'm asking is that I can run my business undisturbed with noise.

If they are going to continue to have live music on the deck outside, then I request that they put up a sound barrier between the two of our stores. The deck is an open air deck that affects everybody, not just a restaurant."

Supervisor Cardinale: "Did you say continue?"

Doug Noble: "Excuse me?"

Supervisor Cardinale: "Did you say continue to have live music? Am I to believe that there has been some live music there, Richie?"

Doug Noble: "Yes. Yes, they have."

Supervisor Cardinale: "Yeah, that's so disappointing. Without your special permit?"

7/6/2004minutes

Doug Noble: "Yes, they have been without a special permit."

Supervisor Cardinale: "Okay. No, no, I'm just saying in theory I guess we were really taking too long because apparently you started without us."

Doug Noble: "Two weeks ago they had a disco there. I mean, you know, if you want to call a person playing what you call it- a DJ, you want to say, well, he's not alive, then, I don't know, he must be dead sitting there playing CD's. The fact is that he's playing amplified music and it's too loud. And it creates a hardship for our business. That's all. That's the only reason why- "

Supervisor Cardinale: "I understand what you're saying and I appreciate that. Incidentally, I wanted to point out something. Nothing is easy up here or out there. Just as you were saying, the last gentleman was saying that we should have a Main Street that's lively and it's got music and is exciting to be at. But you all do know, don't you, that the Ben Franklin building- the site plan just came in for a commercial first floor with a six story residential building. So there's still that balancing. If we're going to bring people to Main Street, they've got to be dancing people and residential people, too, and we've all got to live together. But go ahead."

Susan Noble: "I'm Susan Noble and we don't object to the music and certainly at night we think it's great. And it's only that the volume of it actually comes into our store, loudly, so that whatever we're playing in the store, people can't even hear. And that is the problem. It actually dominates the atmosphere of our store. And that's the only reason why we object to it. That's the only reason."

Supervisor Cardinale: "What hours of operation do you have?"

Susan Noble: "Ten to six, except Fridays, we're open until seven and Saturdays until five. So we were just going to ask if they could start it after hours, that's all. Or if they had it during hours, if it could be acoustic and not, you know, so loud that it actually dominates our store."

Supervisor Cardinale: "Thank you. Yes, we've got more comments. How about this young lady and then that young man?"

Diane Reeve: "Good evening."

Supervisor Cardinale: "Yes."

7/6/2004minutes

Diane Reeve: "I'm the owner of East Enders Coffee House. I'm here to support the Boardwalk and the live entertainment. When we took over the business in August, we had live entertainment one night a week. Since then it has grown to Wednesday, Thursday, Friday, Saturday nights, Saturday afternoon and Sunday afternoon. And I really feel the reason is there is such a need for entertainment downtown. I mean that's their goal, that's my goal. Is to get this downtown alive and happening. And I think we're doing that.

There are nights when people don't want to go home. They're looking for more things to do. If I can send them across the street because there's entertainment there also, then good for us. But I think in giving anybody a hard time in making a business survive downtown is ridiculous.

The live entertainment has kept us alive over a long, cold winter. And I'm just here to support them and a lot of our local musicians came also in support. Thank you."

Supervisor Cardinale: "Thank you."

Warren McKnight: "Warren McKnight, Riverhead. And I play the banjo, I'm a performer."

Supervisor Cardinale: "I know."

Warren McKnight: "And I've been performing for many years indoors and outdoors and I've had to deal with these situations. The 85 db rule is the rule that if you go about 85 db, it damages the ear. Usually tasteful music when it's amplified, you don't even know it's amplified, but it's there, the presence is there. Usually professional groups have sound engineers. So this is a thing that has to be done tastefully.

Also, very important. When I play in Greenport, I'm told by the business district and the people there and I've been playing in Greenport for 10 years, when the apartments got filled, I, you know, don't play by the apartments or when I play on boats, the sound travels upward very loud. Just like these people said here.

So it can be done but it needs cooperation with the 85 db rule. But more important, music since the beginning of time is therapeutic, you know, it's essential. It brings generations together, it brings people together. The East End Coffee House I would go there once in a while. I would meet little children. The people who are senior citizens- Harriet sings down at the East End Coffee House. I mean,

7/6/2004minutes

come on, it's part of our society.

So the only thing is if some people, you know, that they don't understand the 85 db rule, this is the thing that should be done. And I'm sure that this could be, you know, it's a shame that they had to go through this but if people could cooperate, I'm sure we can get this over with.

The 85 db rule also if you are going to have any type of music whether it be acoustic or anything else, and some acoustic music, guitars are not loud acoustic. Brass instruments I can tell you and banjos are loud, so they go right up. So, you know, it takes a little commonsense.

So I hope that they, you know, their restaurant is great. I ate there and everything else and they're very sensible people, they're professional people. I hope they get their permit. But it's essential for our town to grow culturally to have live music and a variety of live music. Thank you."

Supervisor Cardinale: "Thank you."

Dave Wellen: "My name is Dave Wellen. I come from Calverton. I'm also lead singer in a band called the King Pins. We're one of the bands that's going to be performing in the Blues Festival. And I've been living in this town for about 15 years. I watched it turn into a ghost town and now somebody is here that wants to turn things around and I think it would be a great thing to have entertainment at night. That's all I wanted to say."

Supervisor Cardinale: "Thank you. Any other comment? Yes, Bob. And Bob Pike, did you have a comment?"

Bob Barta: "There's a run on banjo players tonight."

Supervisor Cardinale: "Yes."

Bob Barta: "Bob Barta, Jamesport, and the Vail Leavitt Music Hall. All right. Bob Barta, Vail Leavitt Music Hall and banjo from Jamesport.

I would call the Board's attention really, any place that you can think of, any place that I could think of that is a tourist destination ranging from Disney World to whatever local civic areas may travel around the country, New Orleans, Chicago, San Francisco, all have very viable music programs there.

7/6/2004minutes

Music is certainly a part of a culture and it's, I think for that reason, that it really does need to be expedited and some adequate change because this is something that will act as an economic engine. Certainly a lot of those areas, New Orleans, San Francisco particularly where I have played in both locations, a large part of their economy is driven by musical tourism and I think with the addition possibly of Long Island Music Hall of Fame and other musical related items in downtown, that can only add to our economic viability.

So I'd really encourage that to be a big consideration when you are planning out what changes to make."

Supervisor Cardinale: "Thank you. Do we have any other public comment? Yes, sir, and Rob, do you want to come on up?"

Scott Cameron Foster: "Good evening. My name is Scott Cameron Foster. I hope everybody had a lovely Independence Day. Independent Day, independence, freedom, this is what our country is about.

I was basically born and raised in Central Suffolk Hospital."

Supervisor Cardinale: "You were raised there, too?"

Scott Cameron Foster: "Well, yeah, was born in Central Suffolk."

Supervisor Cardinale: "Okay."

Scott Cameron Foster: "Baptized in the United Methodist Church, grew up here, graduated from Riverhead High School, the old Riverhead High School, and about 14 years ago, I moved out of town. And just recently, it was Mother's Day, I came down to Riverhead to visit my Mom who still lives over on Fairway Avenue, and I ran into Diane Reeve and saw the Coffee House and I basically have not left since then.

I own property up in Westchester; I own- I just purchased property up in the Catskills and now I'm thinking I might just move back to Riverhead. And the East Enders Coffee House, the Boardwalk and all these places that are doing music and the things that are happening in downtown Riverhead is what's encouraging me to think I might want to move back here.

So I rise in strong support."

7/6/2004minutes

Supervisor Cardinale: "Thank you. Bob."

Rob Pike: "Rob Pike, 138 Ostrander Avenue. I want to thank the prior speaker who was basically a year ahead of me- no, behind me at Central Hospital. I was raised on 132 Ostrander Avenue. One of the nice things about Ostrander Avenue is it's directly across the river from the Blue Bird.

And the experience of my youth was filled in the air by two basic sounds that resonated on Ostrander Avenue throughout my youth, the sounds of the blues bands at the Blue Bird restaurant across the way, occasionally interspersed with a gunshot or two, and the sound of Riverhead raceway blasting away up on what was then the unoccupied Riverhead Old Country Road.

And between the two, frankly I was far more inspired by the sound of music filling the air. And if I had a feeling about this, it was that boy these people are having a heck of a lot more fun than I am, sitting here in bed listening to this music, and in time I grew up and became a fairly mediocre guitar player and but as I was graduating from high school, I came to the conclusion that, you know, there wasn't much to do in downtown Riverhead on a Saturday night other than to sit at the intersection of Roanoke Avenue and Main and watch the traffic light change.

And so I was quite determined when I went away to school that I never come back. And it was only through the good offices of Allen Smith who encouraged me that I did, and the presence of water within 15 minutes, an ocean, the sound, a bay, several lakes, a pond and a puddle that drew me home.

And as you all know, I have been a major advocate for bandshells on the river, for a certain large 800 seat theater that I have not yet given up hope on and I encourage no one in this room to ever give up hope for. Because I fundamentally believe that it is far better that we have an attractive downtown, that fills the air with music.

If I have a fantasy about downtown Riverhead, that completely (inaudible) in the natural progression of the economic reorganization of our town, it is that people of all musical tastes, all musical tastes, would find a place where not only their culture is lived out as the Polish music of Polish town, but that every culture and every style would find a home, the blues, rock and roll, and for those of you who have still hung onto it, even disco.

7/6/2004minutes

But that we would all be able to enjoy these things in numerous venues downtown. For the book store, two realities are true, one is it tends to be (inaudible) to what you do that this tends to be night life, your business tends to be in the day. I would also note that a fair number of missionary places or places who believe in religious conversion of people who have found evil, are more productive if they're located next to the houses of ill repute so people can stumble out after having found the evil nature of their ways into a place where they can find education and solace."

Councilman Densieski: "Does he have a permit for that?"

Rob Pike: "And redemption. Timmy asked a question, why is a permit required where liquor is involved, when it's not, when it isn't. I think this has something to do with a rule I learned down south, it comes from the southern Baptist Church. There's a reason that the southern Baptist Church doesn't believe in premarital sex because that, like this, tends to lead to dancing.

We have here an opportunity to plant one more seed in the resounding musical renovation and restoration of not only the structures of downtown over which they have labored long and hard, but in the soul, in the spirit. This is a talent- a town full of undeveloped musical talent and every venue we can build, a bandshell on the river, a Vail Leavitt, a Boardwalk, another (inaudible), jams at Diggers, the Club 91 going to its old routes as a blues club, and heck even in the middle of what they're building across the river they can build another Blue Bird, I'd be a very happy man.

And, finally, I would say that all of this lends credence to the fundamental conclusion that I challenge you with again, that it is not yet time to give up on this project or the Suffolk Theater itself."

Councilwoman Blass: "Phil, if I could just ask Rob a question? Rob, with all of these new venues for live music popping up on Main Street, I'm wondering if we're going to see a revival of the Monday Sunday."

Rob Pike: "Fortunately we have a reunion about- this is my old garage band. We had a reunion two years ago and we're just as band now as we were then. So, no."

Councilwoman Blass: "I could vouch for that actually."

Supervisor Cardinale: "Yeah. There's one more comment out

7/6/2004minutes
here."

Amy Hour: "Good evening. My name is Amy Hour (phonetic). I'm an employee at the East Enders Coffee Shop. I was born and raised in Patchogue Village and I relocated out here 15 months ago because Riverhead reminded me of the way my home town, Patchogue, used to be.

And Mr. Cardinale, and Board, I have one question that I still am puzzled about. I am hearing support, yes, of music. But the main thing that I'm concerned about is why it took so long and why Mary and Richie had to go through this whole rigamarole of paperwork in order to get a simple permit. That's an issue I still don't understand. Why?"

Supervisor Cardinale: "Well, because-- as the current law requires it and the only way it's going to change is to change the law which is what this Board has just indicated it is intending to do.

The- you can't just disregard the rules because they're not well crafted. We've got to- this started apparently before I even was in office, but what happened was that this is a silly idea to have a special permit required to have music on Main Street. And once the law requires it, there's no question that you have to follow the law unless you are going to change it.

So what we should do now is change it."

Amy Hour: "Okay. So time frame. Just one more question, Mr. Cardinale, time frame-wise, how much more time is Richie Cox going to have to struggle to meet his bills until he can get his permit?"

Supervisor Cardinale: "Well, he has arrived. After the public hearing- we'll close the hearing as soon as you sit down and we're lucky, and then after that we will probably have a special meeting on Thursday because we all know and love Richie so, to among other things, consider a special permit and, hopefully, he'll be able to play this weekend.

The only thing I've heard other than that we're a bunch of jerks for having this law, is from the next door neighbor who suggested that- some sort of an hourly control of the time period would be in order. Other than that, I've heard no opposition whatsoever to the permit."

Amy Hour: "Wonderful."

7/6/2004minutes

Supervisor Cardinale: "All right?"

Amy Hour: "And I guess I can count on you to be there for their first band that they have playing at their Boardwalk?"

Supervisor Cardinale: "Absolutely. Thank you. Yes?"

Mary Cox: "I just have one more thing to add. I understand the Nobles concerns. My concern is that I want the same consideration that every other establishment that's allowed to play live music has. I do not want to be told that, yes, I have a permit but I have to do it under these stipulations because if I have to, then everybody else has to.

And my other question is, is that since East Enders Coffee House has been playing and they play on Saturday afternoons when they're open, is- they've never said that it affected them. They're directly across the street. I don't understand how my music if I have it on the deck playing CD's affects and goes through an eight inch cinderblock wall. To me it's just- it's either they- I understand that they don't want it. I understand it's not conducive to their business.

We have tried to be a good neighbor. We have tried to- I pick up the parking lot every night. I have picked up the parking lot for things that aren't even- have anything to do with my customers. I don't use their air space for my umbrellas, you know. There's a lot of different things but I think when it comes to me being allowed to have a permit, I want the same consideration that everyone else that has a permit is. I don't think it's fair that I have a permit with stipulations because they don't like it. It's either I get my permit or I don't.

To me it's just- it's, you know, I don't see how it could hurt. Bars have happy hours from 5 to 7. People get out of work. I'd like to have a guitar player there playing music. I don't want to have to be told that because it's Friday night and they stay open two hours later, they close at five during the week, but because they're open two hours later on Friday, because foot traffic is now picking up because my business is there, that I have to have a stipulation that I'm not allowed to play music until they're closed. It's either I'm allowed to or I'm not. And then we'll go from there."

Supervisor Cardinale: "All right. I appreciate the clarification."

7/6/2004minutes

Doug Noble: "It's unfortunate that Mary has chosen to put it as a me and they kind of thing. As we have repeatedly said, we do not object to the music, it's the volume of the music. I don't know what the problem is they cannot understand that.

The East Enders Coffee bar across the way, I buy my coffee there all the time. They have great coffee. I've been there when the live bands are playing. It's nowhere near the volume that comes from the deck next door to us. The deck next door is 10 times as loud as the East Enders Coffee bar. We don't have a problem with the music what they play. It's just the volume. That's all we're asking.

On that deck, an acoustic guitar would be totally adequate for the number of people that can sit on that deck. It's limited to how many people can fit on the deck. An acoustic guitar is totally adequate. You don't need a full live band for that."

Supervisor Cardinale: "Thank you. If there is, yes, one more comment and then we'll put this one- we'll close it out so we can move on."

Richard L'Hommedieu: "Yeah, I'll make it very quick."

Supervisor Cardinale: "Thank you."

Richard L'Hommedieu: "I realize his issue is- what it seems to come down to is the battle of what music is being heard in what location. He has his particular music he would like heard in the store and the music from the Boardwalk is being intrusive on that particular music. The Board may want to go down and take a listen and see how actually loud that- actually that music is.

Nassau/Suffolk lumber sells sound dampening board at about \$9.00 a sheet. It could be put up and it will knock down about 20 db off of any sound coming into the store. That could be a very viable solution.

You know, like I say, their store- times of operation are not going that deeply into when the music is going to be playing, that it should affect their business."

Supervisor Cardinale: "Understood. Thank you. Okay, having heard that public comment I'd like to, in fact, close this hearing and, therefore, it's 9:10, I'm closing the public hearing, and I'm asking, I think Jill is maybe scheduling a special meeting for

7/6/2004minutes

Thursday as I indicated on some other matters. We will incorporate that- this matter into that."

Public Hearing closed: 9:10 p.m.

Supervisor Cardinale: "I have two more public hearings. Then we have to take comment from anyone on resolutions. I think we have about 50 or 60 resolutions, and then we'll take general comment.

The 7:40 public hearing is being noticed now at 9:10."

Public Hearing opened: 9:10 p.m.

Supervisor Cardinale: "It's a consideration of a local law to amend Chapter 14 entitled Community Preservation. Could you read that more formally, please?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on July 6, 2004, at 7:40 p.m. regarding the consideration of a local law to amend Chapter 14 entitled Community Preservation."

Supervisor Cardinale: "Okay. Does anyone know what this is about? That is for a local law to amend- "

Councilwoman Blass: "This is the creation of the open space committee."

Supervisor Cardinale: "Okay. This is actually the creation of an open space committee to study and advise the Board as to the appropriate parcels that we may wish to purchase with the open space money that we will make available and presently have available. So it's an important committee.

Would anyone like to comment? Angela, please come up. And Ann right after her."

Angela DeVito: "Angela DeVito, South Jamesport. Actually it's really not a comment. I'm just a little confused. I know we have a farmland preservation committee and the town has been purchasing open space over the past several years at least in my realm of awareness, but this was done without any committee? This was done without any-"

7/6/2004minutes

Supervisor Cardinale: "Correct. What the Board did early on in my administration is we considered the following. That there had been a tremendously successful development of farm- purchase of farm development rights program under Bob's administration, my predecessor.

But we had lagged on the open space. We had contributed- we had committed twenty million to development right purchase which we've spent, and ten to open space which we spent less than three million. So we thought maybe a committee devoted to reviewing the potential opportunities in open space purchase particularly sensitive to the area of open space purchases, just like the farm select committee was in regard to farm development rights, would be in order.

And that's what this does. It sets up such a committee which would be responsible for expending those funds which this Board made available. Not expending them, but actually identifying the property and with- who is it, the land- who is the group that negotiates for us?"

Councilwoman Blass: "The Nature Conservancy and Peconic Land Trust."

Supervisor Cardinale: "The Nature Conservancy - the Peconic Land Trust. They would assist that- "

Angela DeVito: "Continuing using their- "

Councilwoman Blass: "Just to clarify. There was a committee, the sitting farmland select committee was given the authority to make recommendations on open space when the community preservation fund legislation was passed.

It has since been determined that it may be better to separate those responsibilities and have the farmland select committee deal exclusively with farmland recommendations and have a separate open space committee to focus more pointedly on open space issues."

Angela DeVito: "I would support that."

Supervisor Cardinale: "Right. Another reason we did that was because the open space committee could lobby for state and federal funds in the open space area and the farm development rights purchase committee could do the same in their area."

Angela DeVito: "Okay. Thank you."

7/6/2004minutes

Supervisor Cardinale: "Yes, Ann."

Ann Hatoff: "Ann Hatoff, Reeves Park. As long as you're talking about forming the committee to purchase properties for preservation, there's some property on east and west sides, Park Road, that I think this town would- I think this town ought to diligently look into purchasing and leaving preserved. Thank you."

Supervisor Cardinale: "Thank you. We- incidentally the town does have an identified list of open space priority purchases. Of course, we may not get that property but we know we'd like to get it."

Ann Hatoff: (From the audience - inaudible)

Supervisor Cardinale: "I don't know. I'll let you know. I'll look. If it isn't, it may move right up because we're not doing too well on the ones that are."

Ann Hatoff: (From the audience - inaudible)

Supervisor Cardinale: "We're just not getting those inclinations to sell. Any other comment on the creation of this committee for the review of potential open space purchases? Yes, Bernadette."

Bernadette Voras: "Bernadette Voras, Reeves Park. I really like that last statement. Oh, I'm sorry. I have a question. I thought I remembered a year or so ago, maybe it's longer, that there was going to be an effort made by the town to preserve things north of Sound Avenue, to keep it beautiful and to at least let people that come out here see something of what the north fork is like, or the way it should be and not just like a Rocky Point or, you know, something like that.

Was that ever said? Because I thought I remembered reading that in the what is it, the News Review, as- minutes from the meeting of one of the Board."

Supervisor Cardinale: "North of Sound Avenue?"

Bernadette Voras: "North of Sound Avenue to the sound."

Supervisor Cardinale: "Yes. Well, certainly there's some very sensitive areas there and we're interested in purchasing several

7/6/2004minutes

areas up there. They are sensitive, they are near the sound, they are near all sorts of nice precious things.

But actually the areas that are between Sound and Main Road is what is known as the farm belt and that's where we're buying our development rights."

Bernadette Voras: "I know that."

Supervisor Cardinale: "The good news is our open space is more likely to be on the north or south shores, yes. That's a fair statement."

Bernadette Voras: "Just a little comment on just what you said. I want to just remind people that as you are buying that land now I was a science teacher for 38 years so I'm not making up what I am going to say. When you buy farmland and-- you have to realize that land is totally polluted."

Supervisor Cardinale: "Yes."

Bernadette Voras: "It is totally polluted."

Supervisor Cardinale: "Fertilizers you're talking about."

Bernadette Voras: "Yeah. Well, no, it's more than fertilizer. It's pesticide. Because when I moved in suddenly a year later, I didn't have any water. So- and I think we've all experienced this. And I often time wonder if the young people who have moved in in all those houses that I see, I call them little prairie schooners out there, I just wonder if- what they would feel if they knew that their children were playing on grass that is on land that is totally polluted, all right, with pesticides. Not just nitrates. And it's not going to go away and it is still being reported in some wells, even the latest chemicals are being reported in wells out here but people don't know that."

But even aside from that, were you just asking, because I couldn't hear in the back, for volunteers for that committee for open space?"

Supervisor Cardinale: "We are creating- "

Bernadette Voras: "Or is it already formed?"

Supervisor Cardinale: "It is not filled so, yes, there would

7/6/2004minutes

be- "

Bernadette Voras: "I'd like to volunteer."

Supervisor Cardinale: "Very good, well, I thank you. Any other comment on this committee? Yes, sir?"

Kerry Morane: "I'm from the Northville Beach Civic Association. I was wondering if I could put my name on that list also."

Supervisor Cardinale: "Yes. I would be glad to do that and we are going to encourage people to get involved and I know that you are involved in several civic groups. And I know Bernadette is always involved. Thank you."

Kerry Morane: "Thank you."

Supervisor Cardinale: "Kerry Morane and Bernadette Voras. Thank you. Yes?"

Patricia Holland: "I'm Patricia Holland, also from the Northville Beach Civic Association."

Supervisor Cardinale: "Yes."

Patricia Holland: "I wouldn't want you to feel that we're trying to overwhelm the committee, but I would like to volunteer as well."

Supervisor Cardinale: "Thank you, Patricia. We are grateful for those who are willing to participate."

If there is not- if there is no other comment, we'll move onto the final hearing of the evening."

Public Hearing closed: 9:19 p.m.

-

Public Hearing opened: 9:19 p.m.

Supervisor Cardinale: "At seven rather nine. I wish it was seven. Nine-nineteen."

7/6/2004minutes

This hearing was supposed to commence on or after 7:45 for the consideration of a local law to amend Chapter 48 Beaches and Recreation Centers. Could you tell us a little more about this, Barbara?"

Barbara Grattan: "I have no idea."

Supervisor Cardinale: "I'm glad you're with us, Barbara."

Councilwoman Blass: "This is the companion resolution to the- or public hearing- "

Supervisor Cardinale: "Okay."

Councilwoman Blass: "-- to the one that we just had. We took the park preserve committee and revitalized it or reformed it to form the open space committee. That was the hearing we just had. But the park preserve committee actually was in the code book under parks and recreation. So we're removing it from parks and recreation, putting it in the community preservation chapter and this hearing merely deletes it from that other chapter."

Supervisor Cardinale: "So this is a technical hearing- "

Councilwoman Blass: "It's a clean- "

Supervisor Cardinale: "Maybe mercifully brief by which we delete the old that will be replaced by the new. Anyone have any further comment on the concept that we've been discussing, the committee for open space purchases?"

If there is not, we thank you for that and we close it at 9:21, the hearing we opened at 9:19."

Public Hearing closed: 9:19 p.m.

Supervisor Cardinale: "We have a resolution- resolutions 582 through 628 which we're going to consider and before we do, we're going to take any comment on the resolutions. Sal?"

Sal Mastropolo: "Sal Mastropolo, Calverton. Resolution 609."

Supervisor Cardinale: "Yes?"

7/6/2004minutes

Sal Mastropolo: "First of all, you have a bad date for the issue of the News Review. It should be the 15th, not the 16th."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "And in the second Whereas, it says the north-northerly side of County Road 105. 105 goes north and south. So it would either have to be the east side or the west side of 105."

Supervisor Cardinale: "Okay. Let me take the first first. The public hearing will be held on the- "

Barbara Grattan: "What resolution number, Sal?"

Supervisor Cardinale: "This is 609. The public hearing date is June 20th which, of course, won't work because- "

Sal Mastropolo: "No. The issue date of the News Review should be the 15th not the 16th."

Supervisor Cardinale: "Let me see."

Sal Mastropolo: "The Now, Therefore, Be it Resolved, the fourth line down."

Supervisor Cardinale: "Yeah. June- Okay, that's July- "

Sal Mastropolo: "15th, not the 16th."

Supervisor Cardinale: "But if we put it in the July 15th paper, we can't have the hearing on July 20th."

Barbara Grattan: "Correct."

Supervisor Cardinale: "Which is the next page which I think you also- we should also correct. If we put it in the July 15th paper we have to have it in the August 3rd meeting."

Sal Mastropolo: "Okay, well."

Supervisor Cardinale: "Because we need ten day notice. Okay, so we'll correct those two things and then there was one other- "

Sal Mastropolo: "Yes. On the second Whereas- "

Supervisor Cardinale: "Right."

7/6/2004minutes

Sal Mastropolo: "-- it says lands located on the south-southerly side of Northville Turnpike which is okay because Northville runs east and west and it says the northerly side of County Road 105."

Supervisor Cardinale: "Yeah, there is no northerly side."

Sal Mastropolo: "105 runs north and south. So it has to be either the east or the west side, not the northerly side of 105."

Supervisor Cardinale: "Does anybody know where the Harold and Jean Goodale property is? Is it on the easterly or the westerly side of 105?"

(Some inaudible discussion among the Board members)

Supervisor Cardinale: "Okay. We're going to verify it but we're going to believe it's to be easterly. We're going to correct it.

I think before we do the resolutions or some- she's going to check it. Okay, go ahead."

Sal Mastropolo: "Resolution #614, the first Whereas."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "It says zoning ordinances implementing the comprehensive master plan adopted November 4, 2004, should be 2003."

Supervisor Cardinale: "Okay. That's corrected."

Councilman Bartunek: "It's 614?"

Barbara Grattan: "614."

Supervisor Cardinale: "614, first paragraph."

Councilman Bartunek: "While he's- while we're on 614. If you look at the next to the last Resolve- "

Supervisor Cardinale: "Yes."

Councilman Bartunek: "-- that should read no more than 500 transfer of development rights can be utilized for residential development. The rest of the statement is incorrect."

7/6/2004minutes

Supervisor Cardinale: "Yeah, that's- I don't know what-"

Councilman Bartunek: "It should be a correction there."

Supervisor Cardinale: "No more than- "

Councilman Bartunek: "No more than 500 TDR's can be utilized for residential development dwelling units. Not shall be utilized for industrial or commercial applications."

Supervisor Cardinale: "Yeah, I know that."

Councilman Bartunek: "The next paragraph."

Supervisor Cardinale: "No more than 500- "

Councilwoman Sanders: "TDR's."

Supervisor Cardinale: "-- TDR's."

Councilwoman Sanders: "Shall be utilized for residential dwelling units- "

Supervisor Cardinale: "That's a typo. I've got to look at my- okay, I know that it needs to be corrected but I'm not sure that's the correction because I wrote this and I didn't proof it with Jill when she retyped it. Okay. I have that. I'll ask for- Sal, what's the next one?"

Sal Mastropolo: "615. I don't understand why the town is even getting involved in an issue that's a New York State licensing issue."

Supervisor Cardinale: "What's the number on that?"

Sal Mastropolo: "615. I mean, I would think that we have enough things to do in town without getting involved in a state licensing issue."

Supervisor Cardinale: "Yeah, I think so, too, except that somebody, one of the Assemblymen asked us for this so that's why we did it."

Sal Mastropolo: "Okay. 616. Why isn't the town highway department doing that work? It's replacing a manhole. \$42,000 to

7/6/2004minutes

replace a manhole seems awful high."

Supervisor Cardinale: "Yeah, it is. It was awfully expensive. That's a special manhole. We had a lengthy discussion about that but it is the right number and- "

Sal Mastropolo: "Well, as soon as you put emergency on any kind of a work order, the price goes up."

Supervisor Cardinale: "Yeah. We talked about that, too. And I'll look into it further. Yeah, it is unfortunately the right number. I mean it is the- it's not a typo. I wish it were."

Sal Mastropolo: "Okay. Resolution 619. The fee seems a little low, \$25.00. I mean by the time you do the work and you track all of that stuff on an ongoing basis, I would think the fee could be more than \$25.00, the filing fee."

Barbara Grattan: "What resolution number, Sal?"

Councilwoman Sanders: "619."

Sal Mastropolo: "I think it's 619. It's that- "

Councilwoman Sanders: "Domestic partner."

Sal Mastropolo: "Domestic partnership."

Barbara Grattan: "Okay."

Supervisor Cardinale: "And the point on 619, I'm sorry, I'm behind you."

Sal Mastropolo: "The fee. The \$25.00 fee it too low."

Supervisor Cardinale: "Okay."

Sal Mastropolo: "Considering what you are producing and you're going to have to track it on an ongoing basis."

Supervisor Cardinale: "Yeah. Okay, I understand what you are saying. This was picked up, actually pretty much copied from another one. We could- I would like to get an assessment of whether it's going to cover. The idea is it should cover the expense of maintaining- "

7/6/2004minutes

Sal Mastropolo: "Well, don't forget the ongoing expense is maintaining it."

Supervisor Cardinale: "Okay, thank you."

Sal Mastropolo: "620. I think 620 should have a planned completion date. I mean, I- the whole resolution is this is what we intend to do promptly."

Supervisor Cardinale: "Yeah."

Sal Mastropolo: "If we don't put a completion date on it, it could be an open ended- "

Supervisor Cardinale: "It is. That's the unfortunate thing. The- I can tell you that the first two, the text changes will be done within a few months after we commence, but the others, since they're actual zone changes, the best estimate I've gotten out of my Rick Hanley, the Planning Director, is eight months. So first there are text changes, two to three months, and the other one is eight months. That's just a guess."

Councilman Cardinale: "Phil, who's working on those text changes?"

Supervisor Cardinale: "George and Barbara, the text, the- what do they call it- the ordinance drafting committee."

Sal Mastropolo: "622."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "The first page of the license agreement, the last paragraph, Whereas- "

Supervisor Cardinale: "Yes."

Sal Mastropolo: "-- the middle sentence says Blues Festival requires funds to engage an individual promoter to manage and coordinate such events and- and it almost seems like there's a paragraph missing because the next page starts off with Now, Therefore, it Is Hereby Agreed as follows. I was expecting to read something of, you know, this is what's required or this is what they're asking the town for in funds."

Supervisor Cardinale: "You're on 622, correct?"

7/6/2004minutes

Sal Mastropolo: "Yes."

Supervisor Cardinale: "And you're on the actual agreement?"

Sal Mastropolo: "The management agreement."

Supervisor Cardinale: "First page?"

Sal Mastropolo: "Yeah, the first page of the agreement, the last paragraph on the page."

Supervisor Cardinale: "Whereas, the (inaudible). Yeah, you're right."

Sal Mastropolo: "Something- it just doesn't flow."

Supervisor Cardinale: "Yeah."

Sal Mastropolo: "It seems like there's a paragraph missing."

Supervisor Cardinale: "Or a page."

Sal Mastropolo: "Yeah, or it could be a page, too, I don't know."

Supervisor Cardinale: "Okay. I will check that and make sure. What we're saying in the resolution is that to execute a license agreement and the attached agreement seems to be missing a page or at least a few lines."

Sal Mastropolo: "Right."

Supervisor Cardinale: "Thank you."

Sal Mastropolo: "And the last comment is on Resolution 627."

Supervisor Cardinale: "Yes."

Sal Mastropolo: "I'm on section D which is about five pages in and I'm left with a question. Is the Lewin's quote farmstand on Sound Avenue, which is like right in my back yard- is that considered a farmstand? Because if it is, a lot of the regulations in here do not get Lewins- "

Councilman Densieski: "Pre-existing, non-conforming, Sal."

7/6/2004minutes

Sal Mastropolo: "Huh. Yeah, but it says in here- there's a comment in here about if the farmer isn't selling the product, he leases it out, then he's in violation of the farmstand law, okay."

Supervisor Cardinale: "Right."

Sal Mastropolo: "And I'm just asking, is Lewin's considered a farmstand or is it considered something other than a farmstand? Does it have to fit into this?"

Councilman Densieski: "No. It's considered pre-existing, non-conforming."

Supervisor Cardinale: "It won't have to fit into this because it's pre-existing, non-conforming. But actually these are just noticing- these resolutions notice for public hearing these proposed chapters of law but I'm sure we're going to get a lot of comment, if this is what you're saying at that time. So save them because we'll need them on the hearing date.

But let me just look and see what the hearing date is because we screwed up the last one, we might have screwed up this one, too."

Barbara Grattan: "The third day of August."

Supervisor Cardinale: "Okay, we have it, the 3rd day of August, is what it should be. Very good. Thank you, Sal."

Councilman Bartunek: "And while we're on this-- "

Supervisor Cardinale: "Yes."

Councilman Bartunek: "-- there is one change to the farmstand code that we found is if you take a look at 66-3 C- "

Supervisor Cardinale: "3-C."

Councilman Bartunek: "3-C, that should be 60%, not 40%."

Supervisor Cardinale: "Okay. This is for publication or for the amendment for the farmstand proposal is 3-C you're looking at? 66-3- "

Councilman Bartunek: "66-3 C."

Supervisor Cardinale: "It should be- "

7/6/2004minutes

Councilman Bartunek: "Farm applicant provided that 60% of the product available for sale are Long Island grown."

Supervisor Cardinale: "60%-- 40% becomes 60% at the C at the bottom of the second page of the chapter. That would be 66-3-C."

Okay, any other comment, please? Yes, Tim."

Tim Yousik: "Once again, Tim Yousik, owner of Digger's restaurant. Resolution 621 in reference to the changes along the Peconic riverfront."

Supervisor Cardinale: "Yes."

Tim Yousik: "There was once a plan drawn up by Howie Young, then there was another sketch that Ed did on the back of that, and then there was another- a third plan drawn up by Howie Young. Which one are we talking about tonight?"

Supervisor Cardinale: "We are talking about- that is the one- is Howard's plan, not the one that Ed had introduced the Board to Thursday on the work session. So- and he'll show you right there. There is differences and the one they're considering tonight is Howie's initial one."

Tim Yousik: "These are both Howie's. Is the larger one the one we're considering?"

Councilwoman Blass: "The one dated December."

Supervisor Cardinale: "Dated December- "

Councilwoman Blass: "Whatever the- 23rd or something- 29th."

Supervisor Cardinale: "Dated December 29, 03."

Councilwoman Blass: "2003."

Tim Yousik: "Okay. I understand- it's the larger one then."

Supervisor Cardinale: "Right."

Tim Yousik: "I understand the importance to move along on this and certainly we would not want to lose a \$2,000,000 grant, certainly can appreciate that. But if you take a good serious look at that, in

7/6/2004minutes

my opinion, it ruins our riverfront yet forever and it's a nail in the coffin for Main Street.

That plan has the Boardwalk continued to Peconic Avenue which is a great thing and the bulkheading getting redone. We certainly need that. Very little green space. One direction in a bicycle path, the road and then the second direction in the bicycle path. This funded by, I believe, the state, is that correct?"

Councilwoman Blass: "By the federal government."

Tim Yousik: "By the federal government."

Councilwoman Blass: (Inaudible)

Tim Yousik: "My question is if we do this work and some day want to expand our green space on the riverfront, what does it take to move that bicycle path? Whereas this plan here has the bicycle path next to the boardwalk so we always have the option of expanding our green space.

I took a ride up to finally to Mike (inaudible) place up there in Calverton, Boulder Creek- not Boulder Creek, J&R's Steakhouse and walked around the shopper's village around back which I think is very well done. Whether it be he or somebody else tomorrow or 10 years from now, the idea of having a shopper's village like that along the riverfront to me would be truly revitalizing downtown.

That plan if accepted with the bicycle path the way it is and the green space as small as it is, we never have that option. Where the plan like this, the green space and road, we could move it any way we want. We still have full control over it.

Again, this has gone on a long time and we have to do something with the \$2,000,000 grant. I can certainly- so we don't lose it, I can appreciate that. But to just take the \$2,000,000 and push this plan through and ruin downtown forever, that riverfront is the jewel of downtown that's never been properly utilized.

This is a golden opportunity to clean up the riverfront real nice, put in a bicycle path which I certainly wouldn't object to except it certainly should not go up McDermott and go in front of the Rendezvous and ADC and ruin their parking forever. That's not right. It should come up along the Salvation Army road so when it heads down 25 it doesn't interfere with anybody's parking on Main Street.

7/6/2004minutes

Even this plan here needs just a little modification as far as I'm concerned. But what we did- what was done here from what I understand is added more green space and more parking. My question is, can this plan be submitted and have us not lose the \$2,000,000 grant? Do we have the time to submit it? Because that plan, again, only my opinion, isn't worth taking the \$2,000,000 for if it ruins the riverfront forever.

I supposed my question- my comment and my question is- my comment is that plan doesn't work, this one works much, much nicer and the question is do we have time to put this in and not lose that grant? Because it would be nice to have the best of both worlds."

Supervisor Cardinale: "Yeah, I think that's one of the key issues, Tim, that it's pushing the vote tonight as a matter of fact, as to-- the best expert we have on that is CDA Director, Andrea Lohneiss, and she has advised that in her opinion it would jeopardize the grant to delay."

Tim Yousik: "Then the real question comes down to- "
Councilman Densieski: "I don't know- Phil- "

Supervisor Cardinale: "Yeah."

Councilman Densieski: "-- I don't know exactly if that's what she said. I think what she said was it was possible but in my opinion if we're actively pursuing, aggressively bringing in another plan, I personally don't think so. I don't think Andrea was quoted as saying it jeopardizes the plan. But she's right here if I'm wrong."

Supervisor Cardinale: "Yeah. I think- I think that we should hear from her."

Tim Yousik: "All right. And then I'd like to reserve the right to final comment on that. Thank you."

Supervisor Cardinale: "Andrea, would you come up for a second? Would you give us a little- one of the reasons this is on this evening is because of the history of how we got here and you got here before I got here because I inherited this plan. Can you tell me how, for example, give us a little history of the plan. Tell us how the bike path got on either side of the roadway in Howie's plan? Had it been proposed somewhere else initially?"

7/6/2004minutes

Andrea Lohneiss: "Yes, Andrea Lohneiss, CDA director. It was back-- several years ago, Supervisor Kozakiewicz asked me to make that a priority to fund money to rehabilitate the very deteriorated bulkhead. Along the Peconic River, we had undertaken approximately a third of the bulkhead rehab and approximately two-thirds was remaining.

We were able to identify some funding through- from the federal government that had been unutilized by other communities. We were advised by Congressman Bishop that if we were going to be able to secure that funding, we needed to work very quickly. So last summer the Town Board authorized the firm of Young & Young to proceed with the preliminary design which they have presented several times to the Town Board.

In August, we had a DOT representative come out. We met down along the riverfront. We asked him- conceptually we had thought that the bicycle path would run parallel to the bulk- to the boardwalk which runs along the riverfront. That seemed to be, you know, the basic idea.

We were advised that that might not be used by bicyclists and that it would be preferable to have two separate directional lanes as part of the roadway.

The reason that Young & Young kept the road in the present configuration was to make the project most cost effective. The roadway could be moved further north but it would add cost to the project rather than working within the configuration of the road.

So for that reason the improvements were made from the road southward to include bulkheading boardwalk extension from the existing location where it leaves off which is at approximately the site of the former river boat to Peconic Avenue and then the bicycle path was added because the funding is coming from a source that is for bike paths.

The structural supports for the bike path, and the boardwalk is the bulkhead and that was the way that the bulkhead was permitted to be included in the project.

Consistently, the DOT has said and Congressman Bishop's office has said that they encouraged the town to work as quickly as possible in order to secure these funds and not have them reallocated to some other project.

7/6/2004minutes

We won't know until, no, it may be that in three months the funding is still secure but it may be that it's not. We'll only know if and when that happens.

So just as recently as a few weeks ago, we were at DOT. We asked them when are these funds allocated such that they cannot be reallocated by Congress or by the DOT. We were told as soon as you get this resolution completed and the firm of Young & Young is authorized to proceed to final plans and specs for bidding, then you can be confident that you'll get your 100% reimbursement up to \$2,000,000.

Apparently Congressman Bishop was on the radio and he was asked a similar question. I did not hear it but his response was something close to that. So I can't say for sure that if we delay three or four months and redesign the project that we'll lose the money but the Board needs to be aware that that's a possibility."

Supervisor Cardinale: "In addition to what you just said, in regard to the location of the bike path, you initially had proposed it where Ed is suggesting that it go and they indicated it they wanted it elsewhere?"

Andrea Lohneiss: "They indicated that that was not their preferred location. These are- this is a bike path expert because it would be a single eight foot wide- eight foot, Ed, wide bike path with bicyclists riding in both directions on a single path. And the likelihood of its use would be less than if it's in the roadway. That was the advice we were given. We have since asked the question again and we were still told that it's not the preferred alternative.

They have not said that if we spent three or four months redesigning it and submit it that they would absolutely reject it. But we're on notice that, you know, it's not their preferred alternative."

Supervisor Cardinale: "Thank you."

Tim Yousik: "Thank you, Andrea. The other thing I'd like to point out to the Board is to take a serious look at the first plan if you will. There is no place to park a car and get to the boardwalk without crossing the street where this plan you can do that. You can park and not have to cross a street.

So if we're truly trying to cultivate walking traffic and walking along that boardwalk, getting-- having grandparents with

7/6/2004minutes

their kids that ultimately is what we hope to see going to the aquarium and the dinosaur museum, having them and then having them walk along our boardwalk, having them crossing the street-- because people fly through there. I mean that's a reality. Judy (inaudible) who does all the landscaping back there made that crystal clear. That's a problem.

But more important than that I think what we really have to take a look at- do we have the possibility of losing the \$2,000,000? That would be a real shame, no question about it. But do we take the million and do it wrong anyway? Because that plan truly is wrong. It absolutely cuts down on our green space, cuts down on our parking where this plan adds both.

The Town Board has got to make a decision on this. There's no question about it. Please make the right one. That plan's wrong. Thank you."

Councilwoman Blass: "Mr. Supervisor, do we have a cost estimate?"

Supervisor Cardinale: "Yes."

Councilwoman Blass: "That is driven or is driving or is associated with an alternate plan?"

Supervisor Cardinale: "Yes. Howie Young spoke with me this morning on that. We were trying to condense this because of the pressure we're under so we had a discussion with Howie this morning and he indicated that the plan that has been proposed by the parking district recently would cost around three and a quarter more, between construction and engineering costs. Three hundred and twenty-five thousand. So basically it's \$2,090,000- \$90,000 being the engineering for the Young plan and for the subsequent plan that would be \$325,000 more. \$275,000 in construction and \$50,000 in engineering."

Councilwoman Blass: "Does that include- "

Supervisor Cardinale: "Is that correct?"

Councilman Densieski: "Yes, that's correct. Yes."

Councilwoman Blass: "Does that include the cost of the relocation of the comfort station that I think was installed last week that would be required to be relocated? Do we know?"

7/6/2004minutes

Supervisor Cardinale: "I don't believe it did."

Councilman Densieski: "Buildings and Grounds can move that. I'd like to respond, Mr. Supervisor."

Tim Yousik: "And if I could, just one second. It may cost a little more, this adds 50 parking places. I believe they have a real value, probably more than \$225,000."

Councilman Densieski: "That's exactly the point I'm going to make. The plan that the parking district offered has 11 stalls more than what currently exists downtown. It has over 50 stalls more than the Young plan. Now if the town- the town's going to have to make up this parking as businesses come.

We're going to spend a lot more than \$286,000 to get that subsequent parking that we've already got, that we're losing. I'm going to make my whole pitch when the resolution comes up, but I wanted to clarify the yes, this plan does cost a little more but when you give up the parking stalls, 50 parking stalls, that's going to be a big hit to the town."

Supervisor Cardinale: "Andrea, can I have- one question, then I want to go on for other comment on the resolutions. The plan that- the Young plan which shows the bicycle paths along the roadway that continues in effect, that plan showing the- showing the continuation of the bike path, the roadways, if we went with that plan, among other things because of the pressure we're under, would that- would be precluded in the future from moving the roadway further to the north, to accommodate an increased green space?"

Andrea Lohneiss: "Not at your expense you would not be precluded."

Supervisor Cardinale: "Because what I was getting at is what Timmy was saying earlier that, you know, we're imperfect people making difficult decisions. I don't think we can make a perfect decision but I'd like to have the option to correct it if I need to later."

Andrea Lohneiss: "The other thing that the Town Board should be aware of is that the funding for the three components of bulkhead, the boardwalk and the bicycle path, does not include and perhaps would exclude redesign of the parking lot. So you might need to be funding more than the \$325,000 additional if the state DOT which

7/6/2004minutes

administers the federal money finds that the entire project is not within their parameters of the program. You should just be aware that that would be a possibility."

Supervisor Cardinale: "In other words, they might not fund the entire \$2,000,000."

Councilman Densieski: "Well, Phil, we know you're good friends with Bishop. You'll help us out, give him a phone call."

Supervisor Cardinale: "You would think. He promised he was going to be very cooperative. So far so good."

Thank you very much, Andrea. Any other comment on any of the resolutions we are about to consider? Rob."

Rob Pike: "Rob Pike, again. I'm sorry, Ed, that I haven't had a bigger chance to study this and I do appreciate the initiative you've taken to try to come up with a better plan."

I've done a lot of redevelopment economics and the risk- cost benefit risk analysis I come up with here is that, having had \$4,000,000 disappear out of my pocket once, running the risk that you're about to lose two, is a pretty nasty thought here. And often in redevelopment economics, the best thing to do is to plan on phasing what you're doing anyway which is where Phil's question was going here.

I think you're missing the fundamental thing about what you're doing here that certainly Timmy's comment misses. This is not the beginning of the destruction of the downtown area here. Completing the bulkhead walkway along the riverfront- waterfront here, is a dramatic, substantial, impressive, politically photograph-able, part of what you're doing here. It's a home run in every respect. It is, in fact, now dangerous, the nature of the bulkheading, the deterioration of the bulkheading (inaudible) where Vic was able to bring it to and I think you should take this particular aspect and not run the risk of losing it.

To the extent that you have other good ideas, let's put it into a phase 2 discussion, you know, I can add a couple right off the bat here. But generally I think you should, you know, kind of punt on majority (inaudible) here and then go to a phase 2 here.

I'm a little concerned about looking at your configuration in that I don't see how the Blues Festival isn't being shrunk by this and- "

7/6/2004minutes

Councilman Densieski: "They'll be on grass instead of on pavement."

Rob Pike: "No. They're already on grass. I've been in that audience."

Councilman Densieski: "Both kinds. Hey, Rob, I want you to go talk to the town engineer and ask him how any phase project in Riverhead is made out."

(At this time, the CD ran out and comments were made by Ray Dickoff)

Supervisor Cardinale: "-- he likes his plan not surprisingly better than Ed's."

Councilman Densieski: "There's a surprise."

Supervisor Cardinale: "There's a surprise, right. Andrea-Angela. Yeah."

Angela DeVito: "On Resolution 601."

Supervisor Cardinale: "Yes."

Angela DeVito: "As you know I had previously written to you and Mr. Kwasna about road improvements for South Jamesport area."

Supervisor Cardinale: "Yes."

Angela DeVito: "And I got back from the highway department that this year the roads that were going to be improved were South Jamesport Avenue, 4th Street, Tutt's and Doug's Lane. So the money that's going to be spent on 6th Street in Jamesport, is that monies that would have been used on those road improvements or have those road improvements previously been budgeted for?"

Supervisor Cardinale: "601, I'm looking. The- is Mark here? That's why I need him here. The 601 was given us, that's it."

Angela DeVito: "It's an asphalt project."

Supervisor Cardinale: "Yeah. I don't know. Yeah, that's a good point. We do know he submits these and since they are state money transferred from CHIPS, state money, we're very happy to let him spend the state's money where he seems appropriate."

7/6/2004minutes

This does not preclude to answer your question- "

Angela DeVito: "The other things."

Supervisor Cardinale: "-- because we see them in series. We don't see them all at once."

Angela DeVito: "Okay, fine."

Supervisor Cardinale: "I will ask about those particular streets and if you do see him, you should do the same. He has a list of what he's going to improve each year. Any other comment on any other resolutions? If not, I'd like to begin the calling of the resolutions and the vote on them."

We have- we initially should point out that there is a resolution at #10 for the CDA which I believe there was a correspondence which would result in it being withdrawn and voted at the next meeting presumably once we obtain some additional information. Andrea, you want to come on up on that one? Let me close the meeting of the Town Board for a moment."

Meeting adjourned: 9:55 p.m.

Meeting reopened: 9:58 p.m.

Supervisor Cardinale: "Okay, open the meeting for the Town Board again and look to- somebody to move 582 which is the first resolution."

Resolution #582

Councilwoman Blass: "Which appoints student interns in the accounting department. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. May we have a vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #583

7/6/2004minutes

Councilman Bartunek: "Appoints student intern in the town attorney's office. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #584

Councilwoman Blass: "This accepts the resignation of a senior citizen bus driver. I'd like to thank Mr. Clinton for his service. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #585

Councilwoman Sanders: "Declares lead agency and determines environmental significance of the Peconic Riverfront project. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #586

Councilman Densieski: "2004 recreation capital improvement project budget adjustment. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski,

7/6/2004minutes

yes; Cardinale, yes. The resolution is adopted.

Resolution #587

Councilman Bartunek: "Accepts the resignation of part time housing inspector. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Thanks, Walt. Yes."

The Vote (Cont'd.): "Cardinale."

Supervisor Cardinale: "Yes. And I would also like to thank Walter Orth for his service to the town."

Barbara Grattan: "The resolution is adopted."

Resolution #588

Councilwoman Blass: "Appoints a recreation leader to the recreation department. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #589

Councilman Bartunek: "Authorizes the Town Clerk to publish and post a help wanted ad for part time housing inspector for the Community Development Office. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski,

7/6/2004minutes

yes; Cardinale, yes. The resolution is adopted.

Resolution #590

Councilman Densieski: "Community Preservation Fund budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #591

Councilwoman Sanders: "General fund budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #592

Councilman Densieski: "Riverhead sewer effluent reuse pilot project budget adjustment. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #593

Councilwoman Blass: "Rescinds Resolution #572. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

7/6/2004minutes

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #594

Councilman Bartunek: "Appoints a scorekeeper Level V to the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #595

Councilwoman Blass: "Ratifies the appointment of Joseph Tomao as a lifeguard Level I in the Riverhead Recreation Department. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #596

Councilman Bartunek: "Ratifies the appoint of a lifeguard Level II to the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #597

Councilwoman Sanders: "Mr. Supervisor, I would like to move that we table this resolution due some outstanding management concerns."

7/6/2004minutes

Supervisor Cardinale: "Yes. I've spoken with you earlier on that and I have no objection to that. We have a second?"

Councilwoman Blass: "Second."

Supervisor Cardinale: "I think you wanted to check the site plan compliance on this?"

Councilwoman Sanders: "Yes. There were issues that were stipulated on December 10, 2002, that I would like to ensure are completed and accomplished."

Supervisor Cardinale: "Do we have a second?"

Councilwoman Blass: "Second to table."

Supervisor Cardinale: "All right. It's moved and second to table. Can we have a vote on tabling this?"

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I'm going to abstain."

The Vote (Cont'd.): "Cardinale, yes."

Barbara Grattan: "That resolution is tabled."

Resolution #598

Councilman Densieski: "Authorize- order to authorize the increase and improvement to the Riverhead Water District for the well rehabilitation at plant No. 5. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #599

Councilwoman Sanders: "Order establishing Extension #77 to the Riverhead Water District for the charter school. So moved."

7/6/2004minutes

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #600

Councilwoman Blass: "This resolution is a budget adoption in connection with road improvement project on Maple, Apple and Terry Roads. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #601

Councilwoman Sanders: "6th Street Jamesport Road improvement project budget adoption. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #602

Councilman Densieski: "Cedar Street, Pine Avenue, Beach Avenue and Harbor Road road improvement project. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #603

7/6/2004minutes

Councilman Bartunek: "Clover Place road improvement project budget adoption. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #604

Councilwoman Sanders: "This resolution awards the bid for the Riverhead Water District extension #78 for Baiting Hollow Farms. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #605

Councilwoman Blass: "Accepts the letter of credit from Cardo Site Development, drainlayer for the Riverhead Sewer District. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #606

Councilman Bartunek: "Approves the application for fireworks permit of the Jamesport Fire Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

7/6/2004minutes

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #607

Councilman Densieski: "Approves the application of the Jamesport Fire Department to conduct a fireman's carnival. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #608

Councilwoman Sanders: "Approves the application of Martha Clara Vineyards LLC for an afternoon music performance. So moved."

Councilman Bartunek: "Seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #609

Councilman Bartunek: "Did you find the correct (inaudible)?"

Councilwoman Blass: "It is the westerly side of- "

Councilman Bartunek: "The westerly side."

Barbara Grattan: "It is the west side."

Councilwoman Blass: "Yes. Of Route 105."

Supervisor Cardinale: "So at the second Whereas clause, third line, northerly becomes westerly."

Councilwoman Blass: "That's correct."

7/6/2004minutes

Supervisor Cardinale: "And on the notice itself, 20th of July becomes the 3rd of August. With those amendments, we can move it, George."

Councilman Bartunek: "Authorize the Town Clerk to publish and post public notice to consider the purchase of development rights of a parcel located in the Town of Riverhead offered by Harold and Gene Goodale. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #610

Councilwoman Blass: "This resolution is authorizing the transfer of county owned property to the town of Riverhead. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #611

Councilman Densieski: "Ratifies the approval of the application of the Riverhead Elks. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #612

Councilwoman Blass: "This resolution amends the Town of Riverhead Zoning Use District schedule. So moved."

7/6/2004minutes

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #613

Councilman Densieski: "Classifies the action of special permit for a bed and breakfast for Linda and Jim Slezak and refers the petition to the Planning Board. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #614

Councilman Bartunek: "With the amendments mentioned prior, affirms Town Board commitment to enact a transfer of development rights program by September 30, 2004. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "And I want to clarify that second- the Resolve clause, second to the bottom, should read no more than 500 transfer of development rights or development rights shall be utilized for residential utilization. Can we have a vote, please?"

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #615

Councilwoman Sanders: "Resolution supporting A5690 and A5691 in relation to forms of identification for the issuance of a New York State driver's license to legal immigrants. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

7/6/2004minutes

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #616

Councilwoman Sanders: "Authorizes emergency work for Riverhead Water- I'm sorry for the Riverhead Sewer District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #617

Councilman Densieski: "The Gatz II farmland preservation project budget adjustment. So moved."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #618

Councilman Bartunek: "I have a question about this. Is this the appropriation for that expensive manhole- "

Councilman Densieski: "Yes."

Councilman Bartunek: "-- sewer- this is what this is for. Okay. Riverhead Sewer District budget adjustment. So moved. Resolution 618."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted.

Resolution #619

7/6/2004minutes

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post a public notice to consider a local law to create Chapter 16 of the Riverhead Town Code entitled Domestic Partnership Registry. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Yes, to the public hearing."

The Vote (Cont'd.): "Cardinale, yes. The resolution is adopted."

Resolution #620

Councilwoman Sanders: "This is a sense of the Board resolution regarding EPCAL rezoning."

Supervisor Cardinale: "I'd like to clarify it. Number 4, the correct wording should be commence the process of creating an industrial district covering approximately 200 to 400 acres in the northeast section south of the aforementioned office park zoning district. So after the word section- I'm sorry- "

Councilwoman Blass: "Deleting the reference to northeast section but saying south of the whatever."

Supervisor Cardinale: "Yes. So it would read as follows: 200 to 400 acres in the- to the south of the aforementioned office park district at the EPCAL property."

Councilman Densieski: "Mr. Supervisor?"

Supervisor Cardinale: "Yes?"

Councilman Densieski: "How did we go from 200 to 400?"

Supervisor Cardinale: "Well, it's an approximate range. I wasn't sure where the Board was going, whether they were going to want lesser or greater, but it would be at least a 200 acre parcel that would be rezoned and it might be as much as 400. That's what- "

Councilman Densieski: "Well, okay."

7/6/2004minutes

Supervisor Cardinale: "Somewhere in between there or maybe as much as 400 or as little as 200. Okay, with that change, may we have a vote?"

Councilman Densieski: "It wasn't moved yet."

Supervisor Cardinale: "Someone move it."

Councilwoman Sanders: "I did."

Councilman Densieski: "You did move it?"

Supervisor Cardinale: "Moved by Sanders."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Second by Ed. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "What I think is going to happen here is I don't know if you've noticed, we haven't been able to sell any Grumman property lately but now we're going to make the zoning more restrictive. I believe what's going to happen is the Town Board is going to make the zoning more restrictive and what we're going to end up with is going to be housing on the Grumman property.

Our golden goose, our chance to really prosper in this town is going to come down to a housing project. Because we don't like this and we don't like that so we're going to make it more restrictive.

Line 3, I do support. Commence the process of creating an office park zoning district covering approximately 100 acres in the northeast section of the EPCAL property. I do support that 110%. I do not support 200 to 400 acres of possible industrial zoning.

We had our broker. We paid an economist. We paid an appraiser. We had the advice of the RDC, all say take a minimum of 600 acres industrial. If you have to- you know, the industrial property is all sold. The recreational property all sits there. We are going to end up with housing, you know, I have a sneaking suspicion.

But it doesn't say that here so I'm going to vote yes but I'm going to be watching it carefully."

7/6/2004minutes

The Vote (Cont'd.): "Cardinale."

Supervisor Cardinale: "Okay. The- I'm going to vote yes, too, and I hope that good things come of this and I think they will. But anyway we're going to get to work on it. Code revision and the code drafting committee is already hard at work."

Barbara Grattan: "Okay, that resolution is adopted."
Resolution #621

Councilman Bartunek: "I think I'd like to make a comment about this next resolution if I could. We were going to consider this at Thursday's work session out of consideration for the work that Ed has put into this and his interest in improving the riverfront, but unfortunately I wasn't going to be present- able to be present at Thursday's work session so that's why it was discussed during the day with a lot of the people that were involved with this as well as Howard Young and people on the Town Board.

Unfortunately we were trying to have discussions like this during work sessions so we wouldn't have the kind of presentations or discussions that we had about issues like this at a Town Board meeting, but unfortunately all the things that we discussed today came out in the prior discussion about this anyway.

So anyway, Phil, I would like to kind of apologize to the Town Board because of my not being here on Thursday this occurred, so be it.

Authorizes the Supervisor to execute design approval request memorandum in accordance with NYS DOT procedures for federally funded transportation projects. So moved."

Supervisor Cardinale: "Moved. May I have a second, please?"

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. May I have a vote, please?"

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densiesk."

Councilman Densieski: "Mr. Supervisor, I'm going to move to the floor, pick up the portable microphone. I've got to make my comments with the maps, if you don't mind."

7/6/2004minutes

Supervisor Cardinale: "Sure, go right ahead."

Councilman Densieski: "First of all, I'd like to comment that this is probably one of the most important resolutions I feel that I've been on- probably the top five, since I've been on the Board for five years.

I want to point out some things, some differences about the plans. This plan, the parking district plan, adds 11 spaces over what's currently downtown. It adds over 50 spaces from this plan. It's a big dollar to replace all those lost parking stalls.

This plan adds a huge amount of green space all along the riverfront so our tourists and pedestrians have a place to go. This plan virtually eliminates green space and where we do have some existing, puts the bike path through the existing green space.

This plan is more pedestrian and tourist friendly. If people stop here and they came out with- and they wanted to have a picnic on the green space here and they came out with strollers and picnic baskets, they'd have to cross one, two, three, four lanes of traffic, two bike lanes and two vehicle lanes to get to the green space. I don't want my mother and father taking the grandkids to- across four lanes of traffic to enjoy the riverfront.

We're supposed to- we had the fellow from the Long Island Music Museum saying we want people walking around downtown. This plan, I'm sorry, is not tourist friendly. It's not pedestrian friendly.

Public safety. This plan here has the bike path going across several lanes of traffic. This plan doesn't. We also have access pathways to cross over which ours puts the bike path right alongside the boardwalk with the fence and benches in between with safety walkways to access the parking lot. Also, we have calming devices. We've used cobblestones to make the walkways safer and more tourist friendly.

We did the same thing behind the entire East End Arts property. We created a cobblestone walkway. So when you have fairs and community events, it will be more tourist friendly. And it is much safer. I know we like to write letters to the chief and the fire marshal and anybody else that would back us up. I don't think they can argue with the public safety portion of this plan.

You know, with the contingency- without the- less the

7/6/2004minutes

contingency this plan still comes in under \$2,000,000. It still comes under the bonded amount without the contingency but if you add up purchasing 50 more- 50 plus stalls that this plan is going to short change us on, it adds up to a heck of a lot more.

Look at the condemnation on Railroad Avenue. It's going to be a couple million dollars to add those stalls. Here we're providing extra stalls at no compensation.

This plan gives us a real reason to turn Main Street and face the river. We have a couple business people right here spending probably a million dollars, maybe even more, to face the river. Why would anybody want to face the river if all there is is a road alongside the river. There's no- there's not going to be a lot of walking and a lot of park like atmosphere created there.

I also mention the calming devices, traffic calming devices, the cobblestones in several locations and also the safety walks and truly good sidewalks which this downtown is in dire need for. We'll spend eight million bucks on a new town hall so we can get a corner office with a window but we won't spend a couple dollars on downtown Main Street.

We'll spend a half a million dollars on a community center in an old guard shack in the middle of an industrial park that's going to hardly ever be used but we won't spend a couple dollars on downtown.

The cost of replacing those stalls far outweighs any lost- any extra money that we would have to put in. It would be a small investment for downtown. And I'm not willing to sell out downtown Riverhead for two million bucks. This plan is wrong and like Tim Yousik said before, this is the death (inaudible) to downtown. Downtown will never face the river if this plan is adopted."

Supervisor Cardinale: "I assume you're voting no."

Barbara Grattan: "Was that a yes?"

Councilman Densieski: "As Phil put it, I'm voting no."

The Vote (Cont'd.): "Cardinale."

Supervisor Cardinale: "Yes. I can count, three to one. Okay, so here's what I have to say about this. I'm conflicted because as Ed says there are very- there are positives in his plan. I would have preferred as George indicated if I had a full Board on Thursday

7/6/2004minutes

to discuss it on Thursday further, but we've condensed that discussion and I've discussed it for several hours individually with my Board members today. I also spoke with Howie Young. I spoke with each of the Board members.

I would have also preferred that the development of the plan had been more shared among the Board prior to Thursday because the Board saw it for the first time on Thursday. It has positives. It has increased green space. It has the river side parking.

On the other hand both our engineer, Howie Young, our department of transportation and apparently three Board members do not feel that the plan is as workable as the initial plan for various reasons.

The conclusion on my vote is this that I said when I was elected I said I would try to bring the Board together and one of the ways of doing that is to take the best I can from the plan that Ed has submitted and work it into the next- into the plan that this Board has support of and there's traffic calming provisions at the East End Arts, the cobblestones, they can be adapted. They will be. There's increased greenery by the riverfront. That could be adapted and will be here particularly around the Sears property where it gets very narrow, the greenery, and by a reconfiguration of the road, we can get a great deal more green.

I cannot disregard the risk of delay here. It would be, I believe, irresponsible to do that and risk even the danger is scary of losing the government grant funds which drive the project. And I, accordingly, come out with the thank you for making the initial plan better, but I will vote for the initial plan for the reasons I have stated and I want to try and adapt as much as I can from the second plan to make the first plan which we've been working on a better plan.

That being said, we'll keep going."

Barbara Grattan: "The resolution is adopted."

Resolution #622

Councilman Densieski: "Authorizes the Supervisor to execute a license agreement with the town Business Improvement District. So moved."

Councilwoman Sanders: "And seconded."

7/6/2004minutes

Councilwoman Blass: "Question? On this resolution, the last paragraph on the agreement itself, I think that Whereas may be a holdover from another license agreement. I don't think it pertains to this."

Supervisor Cardinale: "On 621, the last paragraph."
Councilman Bartunek: "622."

Councilwoman Blass: "Oh, I wasn't here."

(Some inaudible discussion among the Board members)

Councilwoman Blass: "But there's a reference to the Blues Festival."

Supervisor Cardinale: "Oh, yes. This one."

Councilwoman Blass: "I'm sorry. I may not have been here if it was previously pointed out."

Supervisor Cardinale: "Yes. It was previously pointed out. There may be either a paragraph or a page missing. I'm going to check that, believe me, before I sign it."

Councilwoman Blass: "Okay."

Supervisor Cardinale: "Okay. But thank you for pointing it out. That's this page you're talking about? Before I sign this, I'll make sure that I have a complete document because this does not make sense."

Councilwoman Blass: "I think it should be deleted. I'm guessing that we had an agreement with respect to the Blues Festival with the Business Improvement District."

Supervisor Cardinale: "Well, why don't we delete it and- "

Councilwoman Blass: "I believe it's supposed to be deleted. I don't think it has relevance to this application."

Supervisor Cardinale: "You would be deleting on the first page of the management contract the incomplete Whereas at the bottom. Okay, with that change, somebody offer it."

Councilwoman Blass: "I believe it was."

7/6/2004minutes

Supervisor Cardinale: "Okay, it's been offered?"

Councilwoman Blass: "Yes. And seconded."

Councilman Bartunek: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale."

Supervisor Cardinale: "Yeah. I'm going to vote yes on this and something I neglected to say on the last matter."

I want to adopt also what Rob Pike said about a phasing of the plans. That which we can get in, we'll get in and that which we can't, we'll try and phase into the next section. Everybody wants the same thing. We want more green and more of the town facing the water. Okay."

Barbara Grattan: "Okay, the resolution is adopted."

Resolution #623

Councilman Bartunek: "Approves the application of Riverhead Business Improvement District Management Association for the All American Cruise Night. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek."

Councilman Bartunek: "With the comments that were made by I forget who the person was who was complaining about the noise level, is there a possibility that maybe we could try to regulate the loudness of the music?"

Councilwoman Blass: "Well, I think this Saturday evenings, it ends at 6:00 and the store closes at six-- or it starts 6:00, the store closes. It doesn't conflict in other words."

Councilman Bartunek: "There's no outside. Okay."

(Some inaudible comment from the audience)

7/6/2004minutes

Councilman Bartunek: "Oh, I see. All right. So moved."

Supervisor Cardinale: "Okay, with that clarification, it's moved by George and can we have a second, please?"

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders--; Blass, yes."

Councilwoman Sanders: "Wait, I didn't get a chance to vote, Barbara voting for me. And I wanted to make a comment."

Barbara Grattan: "Okay."

Councilwoman Sanders: "Just that I wanted to thank the BID for taking such a creative look and active role in bringing entertainment- additional entertainment that could be fun for everybody downtown. I want to thank you for your time and your effort. Yes."

Councilwoman Blass: "I apologize."

Councilwoman Sanders: "That's all right."

Councilwoman Blass: "I jumped the gun."

The Vote (Cont'd.): "Blass, yes; Densieski."

Councilman Densieski: "Phil, right now I expect a comment from you, something like well, they can go down the new road to the cruise night. Yes."

The Vote (Cont'd.): "Cardinale."

Supervisor Cardinale: "They've got to get in the parking lot to listen to the movie. They'll have real good access. Actually I think that that idea has merit, too. Unfortunately it may not see the light of day at this time. Approves- what are we doing? Am I voting? I'm voting yes."

Barbara Grattan: "Okay. That resolution is adopted."

Resolution #624

Councilwoman Blass: "Approves the application of Mary Casey

7/6/2004minutes

for a wedding to be held at the Hallockville Museum Farm and Folklife Center. So moved."

Councilman Densieski: "Second the motion."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #625

Councilman Densieski: "Resolution, excuse me, resolution authorizing the Supervisor to execute change order No. 1 for the Riverhead Water District for the construction of Plant 12, Contract E. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #626

Councilman Bartunek: "Refuse and garbage fund budget adjustment. So moved."

Councilwoman Blass: "And seconded."

Supervisor Cardinale: "Moved and seconded. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Resolution #627

Councilwoman Blass: "Authorizes the Town Clerk to publish and post a public notice to consider a local law to create Chapter 66 of the Riverhead town code entitled Farmstands. So moved."

Supervisor Cardinale: "Moved and- so moved. How about a second?"

Councilman Bartunek: "Seconded as amended."

7/6/2004minutes

Supervisor Cardinale: "Moved and seconded as amended."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes. The resolution is adopted."

Supervisor Cardinale: "You have that change, Barbara, on the second page?"

Resolution #628

Barbara Grattan: "Okay, Resolution #628 is bills."

Councilman Densieski: "So moved."

Councilman Bartunek: "Seconded."

Supervisor Cardinale: "Moved and seconded to pay the bills. Vote, please."

The Vote: "Bartunek, yes; Sanders, yes; Blass, yes; Densieski, yes; Cardinale, yes."

Barbara Grattan: "Five yes to pay bills."

Supervisor Cardinale: "Okay. That concludes the resolutions of the town. Is there any comment on any general subject matter that has not been addressed yet by the public? Yes, Ann. Okay."

Ann Hattoff: "Ann Hattoff, Reeves Park. I know you suggested that we that live in Reeves Park come down on Thursday to the work session to discuss the restaurant and the other development."

Supervisor Cardinale: "Yes."

Ann Hattoff: "I'm unable to do that because I'm employed."

Supervisor Cardinale: "Right."

Ann Hattoff: "So the comments that I'm making now I would hope that you would take into consideration."

Supervisor Cardinale: "Surely we will."

Ann Hattoff: "On Thursday. All right?"

Supervisor Cardinale: "Yes."

7/6/2004minutes

Ann Hattoff: "I'm totally opposed to any restaurants or developments on either side of Park Road. We live in a very unique community. We have a public and private beach at the end of park road. God knows we have enough traffic as it is and if you-- if that property is developed on either side, what happens to the Tommy Kelly memorial on the corner? What happens to the entrance and access to our development off Sound Avenue?

Now, God knows in the fall you have pumpkin picking, you have people going further out east. At Christmastime or prior to Christmas you have the people that want to purchase Christmas trees. You have a lot of traffic right then and there. We don't need more restaurants and confusion.

Sound Avenue was designated as a historical corridor. It should be kept remote, it shouldn't- and rural. It shouldn't be so developed. We do not need two restaurants, a pizza place, a coffee shop, a bank and 11 retail stores in the vicinity of Park Road. We don't need that.

And I think the town also has an obligation to consider the restaurant that is next to the auto repair shop and that whole little community. These are established businesses now. We don't need all this extra. And I think this is- it would be horrible for any of us living in Reeves Park. Thank you."

Supervisor Cardinale: "Yes."

Cassandra Muller: "Hi. My name is Cassandra Muller. I'm also from Reeves Park and may not be able to attend the Thursday meeting as some of the Board I here aren't. So I'd like to express my concerns right now about the development on Park and Sound.

Not only do we not need like Mrs. Hattoff had said, which we don't, any more construction up there or anything. But you're trying to promote a beautiful downtown area where Riverhead residents can go, enjoy music, and really it's beautiful. Why are you trying to take them away from that and bring them to- and develop a whole new, you know, residential area, on- up north? It just doesn't make sense to me.

You're trying to build something yet you're taking away from it before you even start to build it. That doesn't make sense to me.

Another thing is with the amount of restaurants and stores that

7/6/2004minutes

you're having sewer problems, we have cesspools down there. There's no sewers. What's going to happen with all of that? It's all farmland so you're going to have to, you know do all that piping. What's going to happen during construction? We- Park Road, there's one way out up to Sound Avenue or you are down to the beach and you can get on a boat and get out. There's no other access.

So when you have all those construction vehicles up there and then you have, I think it's a total of about 300 parking spaces, what if there's a fire? What if there needs- did anyone speak to the fire chief, the police chief, the hospitals with the ambulances? There's no other outlet. There's one. You go up Park Road to Sound Avenue. If there's a light there and there's 300 extra cars and there's restaurants and it's on both sides of Park Road with people walking back and forth to each, you know, this restaurant's full. Let me go see that restaurant. It doesn't make sense. It just doesn't make sense.

It's a mish-mosh area that you're trying to build up and you have a beautiful downtown Riverhead that is where more traffic should be. It really is. That's- we also have a problem with beach parking. We have- we are very in contact with the police department about not- no permits, people parking up in front of our homes whereas the Jamesport people have said, you're not allowed to park in front of the homes. There's a no parking area. The police don't enforce it in our neighborhood. We try and try again but they don't.

Now this is just going to bring more traffic to a parking lot designed by the town of Riverhead that's not efficient for the amount of cars that come down now. I just don't understand where the logic is to develop this area on two sides of the street that enter a real, real residential community and farms and you're taking away from so much of the Riverhead business that's already there. It just doesn't make sense to me.

It's the only alternate route out east other than 58 and you're just congesting it more with nonsense. And that's my comment. Thank you."

Supervisor Cardinale: "And so that we don't disappoint your expectations, correct me if I'm wrong, but this area that we're talking about is presently commercially zoned and the- what we're considering on Thursday is for a commercially zoned area, a site plan as to how that site would be developed pursuant to its current zoning.

7/6/2004minutes

More significantly, all of your comments are interesting but are really most pertinent to the fact that we're going to be passing commercial and industrial zoning consistent with the master plan. And in case you haven't looked at the master plan which wouldn't surprise me because I didn't look at it either before I was elected, but if you look at it, you will see that these areas are four corners, continue in the master plan to be planned as commercial zoning.

So what you really are saying is that that master plan which was passed before I got here and the zoning which we're implementing to- we're passing as of September 30th to implement the master plan, is not a good idea. So you should really come to the commercial zoning statute hearings and tell us that then.

Our problem is that the gentleman who's developing this has a commercially zoned parcel right now and our authority is limited to site plan considerations as to how he can most appropriately develop a commercial site at that location. We do not have any control at this moment to change the commercial site. It is commercial and- it's been commercial for how long?"

Councilwoman Blass: "For a very, very long time. In fact it had- oh, no, no, no. Probably more like 20 or 25 years. In fact it was originally shopping center type zoning before it was changed during- about 10 or 15 years ago to what's called business CR, commercial rural. Before that, it was similar zoned to what was on Route 58. So it had been changed back then to a less intense business CR and it is now slated to be changed to the extent that business CR is being- was revisited in the master plan process to be even less intense than the current business CR. It's been commercial for a long time."

(From the audience - inaudible)

Councilwoman Blass: "Right. But the zoning has been in place all that time. The zoning has been in place, commercial."

Cassandra Muller: "If the zoning has been in place that whole time- anything has ever even entered the area and it's- it's built as a residential area. And that's what you have to consider. When it was- you built a community. You let a community be built. You let- you never- in roads for commercial. You have Sound Avenue, two lanes. Park Road, two lanes. No outlet. How could that be zoned for commercial- how could that be commercially zoned?"

7/6/2004minutes

And I'm sorry that 25 years ago I was a little young, I didn't know to come to a zoning board, you know, meeting. But that's wrong, you know. You let a community be built with families and now you want to stick in, you know, things that just- we can't handle the traffic that's there now. It just- it doesn't make sense (inaudible)."

Supervisor Cardinale: "Yeah, we could do that but we'd have to- it would be inconsistent with the master plan and you could- you should be arguing for that at the hearings which will be in late August- in early September.

My problem is and the Board's problem is we've got a guy who's got a commercial piece of property, he wants to develop it as a commercial piece, and our authority is limited to the site plan considerations. Where are the exits and entrances going to be? Where is the green space going to be? How much parking is there going to be required? Is it safe to get out here? Is it safe to get out there? Can we interconnect this?

There's another corner we have a site plan for, one of those corners you're talking about. We have another site plan before us. And it is impossible for us to simply reject it is my point with- because the zoning permits it.

Yes, anybody have a comment? Come on up."

Dorothy O'Hare: "My name is Dorothy O'Hare and I'm also from Reeves Park. And I want to thank Miss Blass because she spent a greater part of this morning with me, trying to make sense of this.

Now, first of all, you said you have another site plan? I was told today we just had one on the east side."

Supervisor Cardinale: "There are two site plans pending within the Planning Board. One is the one that Mark Terry looked at and indicated he needed- he would like a couple of changes in the site plan."

Dorothy O'Hare: "Does he own that property?"

Supervisor Cardinale: "Who, he? Mark Terry is one of the people from the community. Right? Yes."

Dorothy O'Hare: "He owns the Lobster Roll."

7/6/2004minutes

Councilwoman Blass: "He doesn't own north- "
(Inaudible - from the audience)

Supervisor Cardinale: "What are the two corners, do you know?"

Councilwoman Blass: "We're looking at- we've only seen as a Town Board a site plan for the parcel to the east of Park Road. I understand there is another site plan, maybe you have seen it, but the Board has not seen it and that is going to be the subject, I believe it's on the agenda for Thursday's work session where we will be presented with the parcel on the westerly side of Park Road. And the consideration was that we should bring them both back on the table at the same time to see if there is an opportunity to have a coordinated review."

Dorothy O'Hare: "My question, did the people who own the Lobster Roll, do they also own both of these properties?"

Councilwoman Blass: "No. No."

Dorothy O'Hare: "Okay."

Councilwoman Blass: "One is Mr. Broidy and one is Kenny Barra (phonetic)."

Supervisor Cardinale: "One is Broidy, one is Barra?"

Councilwoman Blass: "Yes. They- neither one of them."

Dorothy O'Hare: "Well, what I wanted to say was first of all I thought that Sound Avenue being designated historic corridor, I thought that protected us from- "

Supervisor Cardinale: "No, it doesn't. You were wrong."

Dorothy O'Hare: "Okay."

Supervisor Cardinale: "We went through this when I was on the Board six years ago. Unfortunately historic corridor has no legal meaning."

Dorothy O'Hare: "Okay. And now your master plan has made it even bigger than it was 25 years ago."

Supervisor Cardinale: "You mean bigger- more- "

7/6/2004minutes

Dorothy O'Hare: "Yes. Little- "

Supervisor Cardinale: "Yes."

Dorothy O'Hare: "I looked at the map today and you see Sound Avenue was all in yellow except by Reeves Park there's a blue square. Granted it was that way 25 years ago. Does that mean that you have to do something that's wrong? It's going to be a disaster. It's a two lane road. You're going to have people coming from the west out to this establishment, crossing over the westbound traffic.

Like Cassandra said, there's only one way for us to get out and that is Park Road which isn't even a legal two lane road. It's a path.

And as we said, the memorial- the previous council allowed this memorial, Sept. 11th we lost one of our own kids, a kid that I saw grow up, okay? They allowed it and now they're going to surround it with a parking lot. This is wrong. And that's what your job is. Your job is to protect us from something that is not right and this is not right. You're destroying the whole character of our neighborhood.

Now maybe our neighborhood is not as nice as yours, but we love it and we love it just the way it is. And I really, really think you've got your open space that you could- you could eminent domain, you could take this property because you know that it's the wrong thing for the area. It's too intensive.

And that's what brought all of us out here was the peace and the farms and the pumpkins and things like that and now you're going to turn it into Route 58 and you just can't do that. And I'm sorry because I really got carried away."

Supervisor Cardinale: "Okay, thank you."

Dorothy O'Hare: "I'll see you Thursday."

Supervisor Cardinale: "Thank you. Yes, Bernadette."

Bernadette Voras: (inaudible) "I'll have more for Thursday. I was a business person for three years and I understand a person who owns land- I didn't own the land, but I owned the business, and I know that business people have to make money and we get money from them for the town, taxes and all that. But I have a few little interesting things and I just can't wait until Thursday.

7/6/2004minutes

I took this photograph, it's one of several that I have. The Lobster Roll has 43 parking places, four of which are for handicapped. Unfortunately I haven't gone to the Lobster Roll to look at the occupancy of how many people are allowed to be there and- but I will go before Thursday. Because it's very relevant to what I've got to show you.

The little Baiting Hollow Commons, five possible stores. I believe three are filled now. Five. They have nine parking spaces for five stores, one handicapped in the nine. On any given day of the week when they are open, and there's only 19 cars here. I'd like to give the Board this (inaudible).

Last year, when I was coming home on Sunday from working, I was doing 40, I usually do, it's 45 on Sound (inaudible). But anyway I came along from the west and I was- I almost killed a child with the mother. Crossing the road from that piece of land which is agricultural not business zoned but agricultural since it's been a farm for the last 24 years that I've been there. But anyway they were parked over there on land that the owner does not own and there are no parking spaces. I've never seen a ticket given out. I have seen several accidents there. I almost hit this family, part of this family. I almost obliterated them. I was only going 40.

What happened was dad and the son had crossed the street to go to the restaurant from the farm field and then there was a little one in mom's hand and mom was about- she was looking, and as I was coming, I could see her so, of course, I banked down a little bit, I was doing less than 40. The child broke away and ran across the street. The street being Sound Road- Sound Avenue.

That is why I'm ripping about this and over my dead body will there be any major commercial stuff there. Now, very simply here it is and I will just outline it today. I'll give you my full story on Thursday. This is all concerning the Reeves Park area.

I understand, I've seen this on the master plan. I knew it was here. Just because it's there, doesn't mean that they rip us off. The gentleman that owns behind the- I've seen the plans by the way for the restaurant and the few stores.

And it's the most amazing thing I ever saw. On four acres of land, there is a proposal to have a 100 seat restaurant, I'm sure that must be bigger than the Lobster Roll, and three stores, 4,000, 3,000 and 2,000 feet. Well, I can figure about 150 parking spaces right there. Well, I'd like to know because they weren't on that

7/6/2004minutes

plan, how are they going to fit there? I will not allow parking on Park Road because that's our own (inaudible).

There is no parking allowed along that section of the road. You couldn't get out, okay. So the first thing is there's going to be no cars there, okay. So how are you going to have a 100 seat restaurant and three stores, four, three, and two thousand square feet. Okay?

And this new proposal that I don't know that much about but I know something about it, this college campus type of stores. I'm an astronomer. I own a \$3,000 telescope. I can't use it, it's so bright around here. Now I know that you are trying. I know that some lights will change, in the new shopping center I believe it was, I spoke to you about it. In the- where is it, Home Depot.

Well, I'm telling you, I'm not going to go to bed at night with a glare coming in my window for a college campus with 11 stores and whatnot. Yes. If you want to put something there when the lights go out at 11 and something that will fit there and is proper for this neighborhood, I'll go for it.

Because I know a person who owns property has a right to do something with it. But I'm a paying citizen. Don't I count around here? Every time I see- I want business as much as the next person. I love to shop. Okay. I love it. And I love to eat, too. So I wouldn't mind a restaurant, 50, maybe 50 and no stores on that corner and very tastefully done so it fits in with the trees that should line the area, okay. I wouldn't mind that, a 50, I'd go down there myself probably quite often unfortunately.

But I don't mind a restaurant that would fit in that's 50 not 100 seats and nothing else. And proper parking, enough parking. Not this business of having people wandering all over the place because there's no parking. And don't tell me that these people are the help, the people that run the place, the waiters and the cooks. It's not their cars. Who do you think those people were walking across that day?

There was one day last summer when I counted 50 cars. That's when I got mad. So I've been waiting for this day and I'm sorry to unload but that's it.

Another thing. I did my lighting so I'm very particular about that. I just want to go back to what I said and then I'll finish because it is late and I appreciate that you are patient. It seems that one of the biggest problems in our town is parking and I've

7/6/2004minutes

heard it tonight so much, okay. Well, it's out of town, too. It's in the hamlets. Imagine that? It's not only in the center of town the parking problem. There's a problem definitely ahead of us that's a biggie and I just wanted to initiate that thought so that you would be prepared and wear your hip boots on Thursday, okay.

Because I think- I mean I don't even- most of the people in Reeves Park don't know me because I'm quiet. I've been pretty quiet for all these years. But I'm aroused now and I will not permit as a taxpayer, as a person who has lived here for 25 years, I'm not giving in to someone who already has an in with 50 rooms and, you know catering business this wide, and wants to on four acres of lane do what they have proposed. No. And I don't need 11 stores. I don't want people shopping down there. You can have something else.

I heard about a bank. Well, a bank might not be too bad. At least they're closed at three, you know, six on Friday. And we could make the lighting proper so that's a possibility. I just want something that's cool, okay. I don't want- "

Supervisor Cardinale: "Thank you. Yes."

Michael Tillman: "I know it's late. My name is Michael Tillman. I'm also a resident of Reeves Park and I couldn't agree more with Ann and the other speakers that have spoken and it's true, I didn't realize you were a resident of Reeves Park until tonight and I'm proud of you being here.

My concern is the parking at the other end of Park Road. Cassandra mentioned it. There are people that come to town to fish off of the wrecks. They park on our side streets, without permits, without parking permits from the town of Riverhead. There were- there used to be signs there saying no parking. The signs are no longer there. We talked to the town, we talked to some of the Councilwomen and I just want to see if I can do anything to move it along to get the parking- no parking signs back on- is it Sea Breeze? It's the bottom of Nautical. The bottom of Nautical. Crow's Nest. The bottom of Crow's Nest. And the problem is whether or not it's a city street, or a town street or part of the park or not but they used to have no parking there.

Now, Mrs. Stenzel (phonetic) who woke up in the middle of the night thinking that her house was on fire when the wrecks burned down has been living with the problem on her street, on Long View Drive which is on the other side of the park, the right hand side. They finally put signs there so at 4:00 a.m. she was no longer awakened in

7/6/2004minutes

the middle of the night with people that couldn't start their cars because they had been parked all day, had left their interior light on when they came back from fishing. That street has no parking signs on it.

Our other streets need the no parking signs that the town has put on Long View Drive. And the whole issue of moving the people from one area to the next is- will be the next concern. But we need no parking signs. We need tickets to be issued to the people that are parking on the street, particularly people that never bought a permit.

We also have our attendant down there telling people, well, we're full today so you can park on any of the side streets that you'd like in the community. The male attendant tells people that. The young lady that's there. They're both very nice people but this is their official story. If you don't have a permit, they're not sending them to Iron Pier or to Jamesport or someplace where they can legally buy a permit. He says just park on the side streets. It's perfectly legal.

We appreciate your looking into our parking problem. Because of the trash that's left behind and when they come back late from the wrecks and the facilities, the bathrooms are closed, they just take a dump, forgive me for saying it that way, right there on that street, at the bottom of Nautical. There's no homes there so people don't call and complain. But if they did, the police cannot give a ticket until the no parking signs are put back up. Thank you."

Councilman Bartunek: "That issue was addressed at the traffic safety committee meeting and there will be as soon as we get a resolution prepared, no parking signs put up on Crow's Nest.

Michael Tillman: "I appreciate that. Thank you very much."

Ed Purcell: "Ed Purcell from East Main Street. I haven't seen the development that people want to put up there but isn't it with all new development in those zones that they have to have a certain number of parking spaces per square foot of building?"

Supervisor Cardinale: "Yes, there's a table."

Ed Purcell: "So that really shouldn't be- what is happening with the old development shouldn't happen again theoretically."

Supervisor Cardinale: "That's correct unless the ZBA grants a

7/6/2004minutes
variance."

Ed Purcell: "Yeah. And that really is something that you should- I know the Board can push for as opposed to you can't really refuse the development as long as they proposed it prior to the changing of the zone."

Supervisor Cardinale: "Yes. What I was pointing out is that there isn't going to be a change of zone unless you scream a lot between now and September 30th because the master plan continues that four corner area as commercial."

Ed Purcell: "Right."

Supervisor Cardinale: "So if they want to change it you've got two months."

Ed Purcell: "Right. So- and that was I think maybe these people don't understand that as long as it's been applied for and it's zoned correctly, you can only adjust what they put there as opposed to refusing to let them put it there."

Supervisor Cardinale: "That's correct. We are limited to site plan considerations such as the ones Bernadette was talking about parking. They have to have adequate parking and they don't get a site plan approved unless they do. They have to have construction in the manner in which the statute requires."

Ed Purcell: "Yeah. And the lights that she was talking about which maybe you can do something about."

Supervisor Cardinale: "Right. But we have limited options. That is true."

Ed Purcell: "Something else that you- on a whole other subject. You mentioned that you had been just dropped off on somebody's desk a six story- "

Supervisor Cardinale: "Yes."

Ed Purcell: "-- apartment house downtown Riverhead."

Supervisor Cardinale: "Yeah. The- what is presently the- "

Ed Purcell: "I know where it is. It used to be Lentin's years ago."

7/6/2004minutes

Supervisor Cardinale: "Right. They would like to get approval of a commercial with residence above."

Ed Purcell: "I, hopefully, that's not something that you have to let them have because- "

Supervisor Cardinale: "They don't have to go up- they cannot go up that high without some kind of a- "

Ed Purcell: "Yeah. Because I think that would be, you know, talking about the riverfront death now, that would be a death now if you put that many apartments downtown Riverhead as opposed to if it wasn't in the center of downtown, okay, but that's right in the focal point of where you want to improve, you want to have these musicians, you want to have all people congregating.

And if you put even a three story apartment building right downtown, it's going to really change the character of what you're trying to do with downtown Riverhead. Thank you."

Supervisor Cardinale: "Thank you. Anyone else that wants to speak? Rolf and Ann. Okay, Rolf. Ann afterwards and then this gentleman. Mr. Brown, how are you? So, Rolf, why don't you give us your comments? Yeah, you're not the only one. Rolf, give us your comment and let the remaining members comment."

Rolf Koesling: "Okay. Rolf Koesling, Wading River. I first have a question. That piece of paper that we signed outside for those who wanted to speak. What happened to that?"

Barbara Grattan: "It's right here."

Supervisor Cardinale: "Oh, thanks a lot. You've got one that tells me who wants to speak?"

Barbara Grattan: "Well, some of them are crossed off already."

Supervisor Cardinale: "Well, I would have called it if I had it. You used to have cards."

Barbara Grattan: "I did this this time."

Rolf Koesling: "Okay. It's getting late. Now I know you can't enforce the five minute rule because what I've got here is at least a half an hour and I don't think the Town Board wants to

7/6/2004minutes

continue any more. So I'll make a proposition. I need the extension number of the Town Board member that takes care of garbage and things like that. And I will make an appointment and I'll talk to- you are? Okay, what's your extension number?"

Councilman Densieski: "223."

Rolf Koesling: "Who?"

Councilman Densieski: "223."

Rolf Koesling: "223."

Councilwoman Blass: "Rolf, I'm the other member of the solid waste committee if you- if he's not available."

Rolf Koesling: "Incidentally, Cedar Road and Locust Road still don't have any signs."

Supervisor Cardinale: "223 and- "

Councilwoman Blass: "225. I'm the other member on the solid waste committee. Yes, sir, 225."

Rolf Koesling: (Inaudible)

Supervisor Cardinale: "Thank you, Rolf. How about Mr. Brown and then Larry and then Ann and then maybe we go home."

Ralph Brown: "Ralph Brown from Riverhead."

Supervisor Cardinale: "How are you, Ralph?"

Ralph Brown: "I'm fine. How are, Phil?"

Supervisor Cardinale: "Fine, thank you."

Ralph Brown: "And congratulations on- "

Supervisor Cardinale: "Thank you. I haven't seen you for a couple- since I've been here."

Ralph Brown: "This is the first time I've been down since- "

Supervisor Cardinale: "Yes."

7/6/2004minutes

Ralph Brown: "Inaugural Day."

Supervisor Cardinale: "Right."

Ralph Brown: "I'm down here because I need someone to help my understand something and that is during the Kozakiewicz administration, we- I came down here and I requested several things, right. And one was that we would be allowed to move our mailbox which is across the street, so that the elderly wouldn't have to go out in the middle of Northville Turnpike to collect their mail. And we passed a petition around with Eddy's help and we got that all done and then we asked for a speed limit on Doctor's Path. And lo and behold we got that done.

But the thing that bothers the people in the community is that the speed limit is 50 miles an hour in a residential area. So I need somebody to help me to understand how this is all done because when I come up from Mattituck, I come up from Mattituck yesterday on Route 25A, and when I came to Church Lane I just cut an eye over and looked down Church Lane and I see 40 mile an hour speed limit. I come to West Lane. I looked down there, 40 mile an hour speed limit. And I move onto Doctor's Path and I see a sign saying 50. And I'm riding on Sound Avenue and it's 45 all the way. And that 50 mile an hour goes from Sound Avenue right through Northville Turnpike, right through that residential area. And we have a lot of conversation going on up our way and I'm always talking in the positive as though many people talk negatively.

But I need someone to help to understand how this is all done and why is it done this way. There are children in the street, bicycles, no sidewalks."

Councilman Bartunek: "Can I address your comments? Your questions?"

Ralph Brown: "Yes."

Councilman Bartunek: "The- a letter was written to the Department of Transportation, I believe sometime last year, and the reply from the Department of Transportation was in December, 2003 requiring that the town should post a 50 mile an hour speed limit, which makes no sense at all because of the reasons that you've just stated.

The speed limit on Sound Avenue is 45 miles an hour. The speed limit on Doctor's Path north- on the south side- "

7/6/2004minutes

Ralph Brown: "Forty-five."

Councilman Bartunek: "-- is 45. And on the section you're talking about is 50. So what this traffic safety committee is going to do is we're going to rewrite a letter back to the state requesting that we lower the speed limit.

And what I would appreciate from you if you don't mind is could you write a very short note to me, George Bartunek, and we will discuss this at the next meeting which I think is July 21st or something like that. So we are aware of this. You're not the first one to complain about this. This makes absolutely no sense."

Ralph Brown: "Okay. I appreciate that. I also notice that on Roanoke Avenue, there is no speed limit on Roanoke Avenue."

Councilman Bartunek: "What we're trying to do on Roanoke Avenue is we're trying to get the speed limit- the speed limit automatically goes from 40 miles an hour on the southern part of Roanoke Avenue as well as Osborne, the southern part of Osborne Avenue where it's posted as 40, and then believe it or not it automatically because it's not posted, it goes to 55. Believe it. And we're trying to change that."

Ralph Brown: "Okay. One other thing. On that corner we've had several accidents and we've asked for stop lights and we've been told that it's a county road, etc. I was told that they would put up guardrails there because when I'm cutting the lawn and at the age of 75 I'm not as agile as I used to be, so the cars tend to collide there and they come up on the grass on my sister's yard. And that's been quite some time now that we've been promised a guardrail there. And I was just sort of wondering if somebody could help me to understand--"

Councilman Bartunek: "That is something else you could put in your letter."

Councilman Densieski: "Well, let me make a comment about that."

Councilman Bartunek: "Sure."

Councilman Densieski: "Because Mr. Brown started this years ago and we took the problem to Mark Kwasna and Mark tried to work with the county but didn't get any help so if we're going to do

7/6/2004minutes

something there I think it's going to be a town initiative."

Supervisor Cardinale: "Is that- what is the road, county or town?"

Councilman Densieski: "It's Northville, a county road, and Doctor's Path, which is a town road. Mark did attempt to do it and he needed help from the county."

Supervisor Cardinale: "You can do it on Doctor's because if it's a town road. But what do we do on the other side?"

Councilman Densieski: "It's- you know, it's like a funny intersection. It's not like a 90 degree."

Supervisor Cardinale: "Yeah."

Ralph Brown: "Yeah, we're concerned with the traffic that's on Northville."

Councilman Densieski: "It really needs a guardrail. But we were trying also to make something that was a little aesthetically pleasing because he's got a very nice yard (inaudible)."

Supervisor Cardinale: "Would- if you speak with George because he's on that committee of public safety, also the police chief is on it, George is on it. Mark Kwasna the Superintendent of Highways is on it. And Ken Testa the engineer. So that we will really- you will really have, you know, the best shot with George and through that committee of getting action. And Eddie will fill them in on the history here."

Ralph Brown: "Okay."

Supervisor Cardinale: "All right, thank you."

Councilman Densieski: "I apologize for not having that done."

Supervisor Cardinale: "Thank you, Ralph."

Ralph Brown: "All right. Thank you very much."

Supervisor Cardinale: "Appreciate it. Larry. How about Ann. Anything? And with Ann, is there anyone else who would like to speak? If you would just follow Ann because I'm going to hope that whoever gets up now, please comment and then we'll try to end the

7/6/2004minutes
meeting."

Ann Hattoff: "I'm really sorry to make this comment. Ann Hattoff, Reeves Park again. Before Phil you said you are talking about four corners. What four corners are you talking about? We're talking about Park Road east side and west side and Sound Avenue runs across that. What are the other two corners you're talking about?"

Supervisor Cardinale: "I was talking about those- "

Councilwoman Blass: "Across the street there are two other parcels across the street."

Supervisor Cardinale: "There are two other corners I assume."

Councilwoman Blass: "It's a straight- "

Supervisor Cardinale: "Okay. I'm talking about those- somebody referred to the master plan. There are several parcels in that area that are designated commercial and those are what I was calling corners. They may not be corners."

Councilwoman Blass: "Zdunko Lane- the north."

Ann Hattoff: "All right. Because I thought maybe they were going to cut other streets or something."

Supervisor Cardinale: "No. They are going to be the same streets, the same configuration. Just how- zoning is the big issue that this community is concerned about."

Ann Hattoff: "Well. Okay. I'm living in Reeves Park 44 years, all right. And the corners that you are talking about have been farmed all that time so I really think if the town could possibly look into purchasing and preserving that land.

I realize that if you own property you cannot be denied the use of that property. But if you could really help us out. We are the constituents. If you could really help us out to preserve this land as it is. Farmland, that would be great."

Supervisor Cardinale: "Okay."

Ann Hattoff: "But don't give us grief as far as development. We've all gotten used to going into town to do our shopping. We've got to keep it that way. Thank you."

7/6/2004minutes

Supervisor Cardinale: "Thank you. Yes."

Eileen Kelly: "Hi. My name is Eileen Kelly and I just wanted to go back to the human side of this whole community. This is a family community. It is right now running three generations deep of families. My mother and father-in-law have had a house in this community for 42 years. It was a summer residence. When they retired, they retired to Reeves Park because they loved it there. It was quiet and it was everything that they wanted from life. And they have been there now for about 15 years retired year round.

Now my brother-in-law who the town has issued an okay to put a street sign that says Thomas Kelly Memorial Drive, moved from Island Park out to Reeves Park because he, too, felt that need to go back to what it was all about, the country, back to the earth, back to the origins of American society. That's what he wanted out of life. Unfortunately he didn't get to enjoy it too much. His house is still owned by the family but he only got to live there for about six months.

My husband is also a New York City fireman, just retired, and he, too, bought a house for our family in Reeves Park. And I'm telling you we came out here because of what it's all about. And if there is any way to go back and fight the zoning on that community, I think it needs to be done. I hear things that it's too late and I hear from you that we have to try and do it by September 30th. I'm not really sure what the story is.

But in any case, I believe that any family that's sitting here, that was sitting here all night, that have come down- "

(At this time, the CD ran out)

Meeting adjourned: 11:15 p.m.